

المجلة العلمية  
للمجلس الأوروبي للإفتاء والبحوث

12-11

**المجلة العلمية**  
**للمجلس الأوروبي للإفتاء والبحوث**

**19 ROEBUCK RD.  
CLONSKEAGH. D14  
DUBLIN - IRELAND**

**AFHOLBBE : —**

**100000002061 : Samer Koraytem/m :**

**13 - 6792 . . -**

المجلة العلمية  
للمجلس الأوروبي للإفتاء والبحوث

12 – 11

1429 – 2008 /

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**19 ROEBUCK RD. – CLONSKEAGH. D14**  
**DUBLIN – IRELAND**  
**Tel : 353-1-2080004 / 353-1-2609602**  
**Fax : 353-1-2080001 / 353-1-2609603**



## ترتيب النشر في المجلة

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الوطن والمواطنة  
في ضوء الأصول العقدية والمقاصد الشرعية

بقلم

الشيخ الدكتور يوسف القرضاوي



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وَمَا تَوْفِيقِي إِلَّا بِاللَّهِ عَلَيْهِ تَوَكَّلْتُ

وَالِيهِ أُنِيبُ ( 88/).

## مقدمات حول الوطن والمواطنة

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تَعْرِى ﴿١١٨﴾ وَأَنْتَ لَا تَظْمَأُ فِيهَا وَلَا تَصْحَى ( 118/ 119 ). : إِنَّ لَكَ أَلَّا تَجُوعَ فِيهَا وَلَا

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حِينَ : قَالَ أَهْبِطُوا بَعْضُكُمْ لِبَعْضٍ عَدُوٌّ وَلَكُمْ فِي الْأَرْضِ مُسْتَقَرٌّ وَمَتَعٌ إِلَى (24/



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: الَّذِي أَعْطَى كُلَّ شَيْءٍ خَلْقَهُ ثُمَّ هَدَى ( 50/).

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بَوَادٍ غَيْرِ ذِي زَرْعٍ ( 37/ )

<sup>3</sup> . «...»

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<sup>4</sup> . «

: إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ ﴿٩٨﴾ سَبِيلًا فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا (97-99).

: فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97/ )  
 عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ :  
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: وَلَوْ أَنَّا كَتَبْنَا

عَلَيْهِمْ أَنْ أَقْتُلُوا أَنْفُسَكُمْ أَوْ أَخْرِجُوا مِنْ دَيْرِكُمْ مَا فَعَلُوهُ إِلَّا قَلِيلٌ  
(66/ ): أَلَمْ تَرَ إِلَى الْمَلَأِ مِنْ بَنِي إِسْرَءِيلَ مِنْ بَعْدِ مُوسَى إِذْ قَالُوا لِنَبِيِّ  
هُمْ أَابْعَثْ لَنَا مَلَكًا يُقَاتِلَ فِي سَبِيلِ اللَّهِ قَالَ هَلْ عَسَيْتُمْ إِنْ كُتِبَ  
عَلَيْكُمْ الْقِتَالُ أَلَّا تُقَاتِلُوا قَالُوا وَمَا لَنَا أَلَّا نُقَاتِلَ فِي سَبِيلِ اللَّهِ وَقَدْ  
أُخْرِجْنَا مِنْ دَيْرِنَا وَأَبْنَاءِنَا (246/ ) : وَمَا

لَنَا أَلَّا نُقَاتِلَ فِي سَبِيلِ اللَّهِ وَقَدْ أُخْرِجْنَا مِنْ دَيْرِنَا وَأَبْنَاءِنَا

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الَّذِينَ :

أُخْرِجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلَّا أَنْ يَقُولُوا رَبُّنَا اللَّهُ (40/)

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صَلَّى  
وَعَلَّمَ



: إِذْ قَالَ رَبُّكَ

لِلْمَلٰٓئِكَةِ اِنِّیْ خَلَقْتُ بَشَرًا مِّنْ طِیْنٍ ﴿٧١﴾ فَاِذَا سَوَّيْتُهُۥ وَنَفَخْتُ فِيْهِ مِنْ رُّوْحِیْ  
فَقَعُوْا لَهٗۤ سٰجِدٰیْنَ ( 71-72/ )

: وَلَكُمْ فِی الْاَرْضِ مُسْتَقَرٌّ

وَمَتَّعٌ اِلٰی حَیْنٍ ( 24/ ) هُوَ الَّذِیْ خَلَقَ لَكُمْ مَّا فِی الْاَرْضِ  
جَمِیْعًا ( 29/ )

: اِنِّیْ جَاعِلٌ فِی الْاَرْضِ خَلِیْفَةً

( 30/ )



هُوَ أَنْشَأَكُمْ مِّنَ الْأَرْضِ وَأَسْتَعْمَرَكُمْ فِيهَا (61/ ) :

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وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنْبِ (36/ ) :

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«<sup>6</sup>.

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صلى الله عليه وسلم

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<sup>20</sup>«

: إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ (10/ »

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» <sup>21</sup>«

<sup>22</sup>«

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وَيُؤْتِرُونَ عَلَى أَنْفُسِهِمْ  
 وَلَوْ كَانَ بِهِمْ خَصَاصَةٌ ۚ وَمَنْ يُوقِ شُحَّ نَفْسِهِ فَأُولَٰئِكَ هُمُ  
 الْمُفْلِحُونَ (9/ )  
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إِنَّمَا وَلِيُّكُمُ اللَّهُ وَرَسُولُهُ وَالَّذِينَ ءَامَنُوا  
 الَّذِينَ يُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَهُمْ رَاكِعُونَ ﴿٥٥﴾ وَمَنْ يَتَوَلَّ اللَّهَ  
 وَرَسُولَهُ وَالَّذِينَ ءَامَنُوا فَإِنَّ حِزْبَ اللَّهِ هُمُ الْغَالِبُونَ (56-55/ )

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إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ ( 10/ )

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تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ  
وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ أُولَئِكَ كَتَبَ  
فِي قُلُوبِهِمُ الْإِيمَانَ وَأَيَّدَهُم بِرُوحٍ مِّنْهُ ( 22/ )

: أَهْدِنَا الصِّرَاطَ

الْمُسْتَقِيمَ ( 6/ )

: يَتَأَيَّهَا الَّذِينَ

ءَامَنُوا ( 104/ )

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إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ :

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» <sup>29</sup>«

» <sup>28</sup>«

<sup>30</sup>« .

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: وَمَنْ يَتَوَلَّهُمْ مِّنْكُمْ فَإِنَّهُ مِنْهُمْ ( 51/ ).

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يَتَأَيُّهَا الَّذِينَ ءَامَنُوا لَا تَتَّخِذُوا الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ۚ  
 أَتُرِيدُونَ أَنْ تَجْعَلُوا لِلَّهِ عَلَيْكُمْ سُلْطَانًا مُبِينًا ( 144/ ) يَتَأَيُّهَا  
 الَّذِينَ ءَامَنُوا لَا تَتَّخِذُوا ءَابَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا الْكُفْرَ  
 عَلَى الْإِيمَانِ ۚ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَاُولَٰئِكَ هُمُ الظَّالِمُونَ ( 23/ )  
 وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَاِنَّهُ مِنْهُمْ ( 51/ ).

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(10/ ) : إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ  
(103/ ) : فَأَصْبَحْتُمْ بِنِعْمَتِهِ إِخْوَانًا  
34 «

ﷺ : »

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كَذَبَتْ قَوْمُ نُوحٍ الْمُرْسَلِينَ ﴿١٠٥﴾ :  
 إِذْ قَالَ لَهُمْ أَخُوهُمْ نُوحٌ أَلَا تَتَّقُونَ ( 105/106 ) كَذَبَتْ عَادُ  
 الْمُرْسَلِينَ ﴿١٢٣﴾ إِذْ قَالَ لَهُمْ أَخُوهُمْ هُودٌ أَلَا تَتَّقُونَ ( 123/124 )  
 كَذَبَتْ ثَمُودُ الْمُرْسَلِينَ ﴿١٤١﴾ إِذْ قَالَ لَهُمْ أَخُوهُمْ صَالِحٌ أَلَا تَتَّقُونَ  
 ( 141/142 ) كَذَبَتْ قَوْمُ لُوطٍ الْمُرْسَلِينَ ﴿١٦٠﴾ إِذْ قَالَ لَهُمْ أَخُوهُمْ  
 لُوطٌ أَلَا تَتَّقُونَ ( 160/161 )  
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قَالَ هُمْ أَخُوهُمْ .

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كَذَّبَ أَصْحَابُ لَيْكَةِ الْمُرْسَلِينَ ﴿١٧٦﴾ إِذْ قَالَ هُمْ شُعَيْبُ أَلَا تَتَّقُونَ  
( 177-176/ )

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وَالِىَ مَدْيَنَ أَخَاهُمْ شُعَيْبًا :  
( 85/ 84/ 36/ )

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الَّذِينَ أُخْرِجُوا مِنْ دِيَارِهِمْ بِغَيْرِ حَقٍّ إِلَّا أَنْ

يَقُولُوا رَبُّنَا اللَّهُ ( 40/ ) : لِلْفُقَرَاءِ الْمُهَاجِرِينَ الَّذِينَ  
 أَخْرَجُوا مِنْ دِيَارِهِمْ وَأَمْوَالِهِمْ يَبْتَغُونَ فَضْلًا مِّنَ اللَّهِ وَرِضْوَانًا وَيَنْصُرُونَ  
 اللَّهَ وَرَسُولَهُ أُولَئِكَ هُمُ الصَّادِقُونَ ( 8/ ) :  
 وَالَّذِينَ هَاجَرُوا فِي سَبِيلِ اللَّهِ ثُمَّ قُتِلُوا أَوْ مَاتُوا لَيَرْزُقَنَّهُمُ اللَّهُ رِزْقًا  
 حَسَنًا وَإِنَّ اللَّهَ لَهُوَ خَيْرُ الرَّازِقِينَ لِيَدْخُلْنَهُمْ ﴿٥٨﴾ مَدْخَلًا يَرْضَوْنَهُ  
 وَإِنَّ اللَّهَ لَعَلِيمٌ حَلِيمٌ ( 59-58/ )

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قُلْ إِنْ :  
 كَانَ عَابَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ  
 اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ  
 مِّنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ  
 وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ ( 24/ ) :

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قُلْ :

إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ ﴿١٦٢﴾ لَا شَرِيكَ لَهُ ۚ  
وَبِذَلِكَ أُمِرْتُ ( ) (163-162).

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38 «.

: يَسْأَلُونَكَ مَاذَا يُنْفِقُونَ ۖ قُلْ مَا أُنْفِقْتُمْ مِّنْ خَيْرٍ فَلِلَّوَالِدَيْنِ  
وَالْأَقْرَبِينَ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ ( 215/ )

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لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ  
يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ  
(8/ )<sup>41</sup> «<sup>42</sup>

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: يَتَأَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ  
وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً (1/  
وَهُوَ  
الَّذِي أَنْشَأَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ فَمُسْتَقَرٌّ وَمُسْتَوْدَعٌ (98/  
: يَتَأَيُّهَا النَّاسُ  
إِنَّا خَلَقْنَكُمْ مِنْ ذَكَرٍ وَأُنْثَى وَجَعَلْنَكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا  
(13/ )

أَوْ يَلْبِسَكُمْ شِيْعًا وَيُذِيقَ

بَعْضَكُمْ بَأْسَ بَعْضٍ (65/ )

: إِنَّ فِرْعَوْنَ

عَلَا فِي الْأَرْضِ وَجَعَلَ أَهْلَهَا شِيَعًا (4/)<sup>45</sup>.

: إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً  
(30/ ) : أَلَمْ تَرَ أَنَّ اللَّهَ سَخَّرَ لَكُم مَّا فِي الْأَرْضِ (65/ )  
أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَسِعَةً فَتُهَاجِرُوا فِيهَا (97/ ) : \* وَمَنْ  
يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاعِمًا كَثِيرًا وَسِعَةً (100/)<sup>46</sup>.

: سَوَاءٌ أَلْعَكِفُ فِيهِ وَالْبَادِ (25/)<sup>47</sup>

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: إِنَّمَا الْمُشْرِكُونَ نَجَسٌ فَلَا يَقْرَبُوا الْمَسْجِدَ الْحَرَامَ  
بَعْدَ عَامِهِمْ هَذَا ( 28/ )

: ( <sup>48</sup> .

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: وَقَتِّلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةً وَيَكُونَ الدِّينُ لِلَّهِ فَإِنْ  
 أَنْتَهَوْا فَلَا عُدْوَانَ إِلَّا عَلَى الظَّالِمِينَ ( 193/ )  
 : وَقَتِّلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةً وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ ( 39 )

: أَلَا لِلَّهِ الدِّينُ

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الْخَالِصُ ( 3/ )

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: إِنَّ الْأَرْضَ لِلَّهِ يُورِثُهَا مَنْ يَشَاءُ مِنْ  
 عِبَادِهِ ( 128/ )  
 : وَلِلَّهِ الْمَشْرِقُ وَالْمَغْرِبُ فَأَيْنَمَا تُولُوا

( 115/ )

فَثَمَّ وَجْهُ اللَّهِ

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: إِلَّا مَنْ

أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْأَيْمَنِ (106/ ) فَمَنْ أَضْطُرَّ غَيْرَ بَاغٍ وَلَا  
عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ (115/ 173/ )

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.<sup>49</sup>«

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: (23444)

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(4016)

: (2254)

(418/7)

.(3243)



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 : إِنَّ الَّذِينَ تَوَفَّيْنَاهُمْ الْمَلَيِّكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا  
 كُنَّا مُسْتَظْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا  
 فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَظْعَفِينَ مِنْ  
 الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا ﴿٩٨﴾  
 فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُو عَنْهُمْ وَكَانَ اللَّهُ عَفُورًا غَفُورًا ﴿٩٩﴾  
 ( 99-97/ ) :

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: وَءَاخَرُونَ يَضْرِبُونَ فِي الْأَرْضِ يَبْتَغُونَ مِنْ فَضْلِ اللَّهِ  
( 20/ ) :

: الَّذِي أَطْعَمَهُم

مِّنْ جُوعٍ وَءَامَنَهُمْ مِّنْ خَوْفٍ ( 4/ )  
فَأَذَقَهَا اللَّهُ لِبَاسَ الْجُوعِ وَالْخَوْفِ بِمَا كَانُوا  
يَصْنَعُونَ ( 112/ )

: فَلَمَّا دَخَلُوا عَلَى يُوسُفَ ءَاوَىٰ إِلَيْهِ أَبْوِيهِ  
وَقَالَ ادْخُلُوا مِصْرَ إِن شَاءَ اللَّهُ ءَامِنِينَ ( 99/ )

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: قُلْ إِنْ كَانَ

ءَابَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا  
وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ مِّنَ اللَّهِ  
وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ ۗ وَاللَّهُ لَا  
يَهْدِي الْقَوْمَ الْفَاسِقِينَ ( 24/ )

﴿ يَأْتِيهَا الرُّسُولُ بَلِّغْ مَا أُنْزِلَ إِلَيْكَ مِنْ رَبِّكَ ۖ وَإِنْ لَّمْ تَفْعَلْ فَمَا  
بَلَغْتَ رِسَالَتَهُ ﴾ ( 67/ )

«<sup>50</sup>

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: وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ  
 ( 107/ ) تَبَارَكَ الَّذِي نَزَّلَ الْفُرْقَانَ عَلَى عَبْدِهِ لِيَكُونَ لِلْعَالَمِينَ  
 نَذِيرًا ( 1/ ) قُلْ يَتَأْتِيهَا النَّاسُ إِنِّي رَسُولُ اللَّهِ إِلَيْكُمْ جَمِيعًا  
 الَّذِي لَهُ مُلْكُ السَّمَوَاتِ وَالْأَرْضِ لَا إِلَهَ إِلَّا هُوَ يُحْيِي وَيُمِيتُ  
 فَآمِنُوا بِاللَّهِ وَرَسُولِهِ النَّبِيِّ الْأُمِّيِّ الَّذِي يُؤْمِنُ بِاللَّهِ وَكَلِمَاتِهِ وَاتَّبِعُوهُ  
 لَعَلَّكُمْ تَهْتَدُونَ ( 158/ )

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: وَمَا أَرْسَلْنَا مِنْ رَسُولٍ إِلَّا  
 بِلِسَانٍ قَوْمِهِ لِيُبَيِّنَ لَهُمْ فَيُضِلُّ اللَّهُ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاءُ وَهُوَ  
 الْعَزِيزُ الْحَكِيمُ ( 4/ )

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الحمد لله  
والصلاة والسلام  
على رسول الله

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الحمد لله  
والصلاة والسلام  
على رسول الله

.<sup>52</sup> «

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53- : إِنَّ الَّذِينَ تَوَفَّيْنَاهُمْ لَمْ تَلْبِسْكَ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا إِلَّا ۖ (٧) الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ عَفُورًا غَفُورًا (97/ ← 99)

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صلى الله عليه وسلم

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(2645)

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(1604)

(2304)

(1461)

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(1307)

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صَلَّى  
عَلَيْهِ  
وَاٰلِهٖ  
سَلَامٌ

59

: إِنَّ الَّذِينَ ءَامَنُوا وَهَاجَرُوا وَجَاهَدُوا بِأَمْوَالِهِمْ  
وَأَنْفُسِهِمْ فِي سَبِيلِ اللَّهِ وَالَّذِينَ ءَاوَوْا وَنَصَرُوا أُولَٰئِكَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ  
وَالَّذِينَ ءَامَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلِيَّتِهِمْ مِنْ شَيْءٍ حَتَّىٰ يُهَاجِرُوا وَإِنْ  
أَسْتَنْصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمُ النَّصْرُ إِلَّا عَلَىٰ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِّيثَقٌ  
(72/).

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(438 437/3) (2530).

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<sup>61</sup>

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(20238)

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<sup>62</sup>.«

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: وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ (51/).

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(2787)

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: لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ تُخْرِجُوهُمْ مِّنْ دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٨٩﴾ إِنَّمَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُواكُمْ مِّنْ دِيَارِكُمْ وَظَاهَرُوا عَلَىٰ إِخْرَاجِكُمْ أَن تَوَلَّوهُمْ وَمَن يَتَوَلَّهُمْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ (9-8/ )

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«<sup>65</sup>

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: قُلْ

يَا هَلْ أَلِكْتُبِ تَعَالَوْا إِلَى كَلِمَةٍ سَوَاءٍ بَيْنَنَا وَبَيْنَكُمْ أَلَّا نَعْبُدَ إِلَّا اللَّهَ وَلَا  
نُشْرِكَ بِهِ شَيْئًا وَلَا يَتَّخِذَ بَعْضُنَا بَعْضًا أَرْبَابًا مِّنْ دُونِ اللَّهِ فَإِنْ تَوَلَّوْا  
فَقُولُوا أَشْهَدُوا بِأَنَّا مُسْلِمُونَ ( 64/ )

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: وَأُولُوا

الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ ( 75/ ).

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: لَا يَتَّخِذِ الْمُؤْمِنُونَ

الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ( 28/ )

: \* وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاعِمًا كَثِيرًا وَسَعَةً  
وَمَنْ تَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكْهُ الْمَوْتُ فَقَدْ وَقَعَ  
أَجْرُهُ عَلَى اللَّهِ ۗ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ( 100/ ) 67 «

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					(5115)	-66
5	1355	14	11	(4)	.	-67
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: فَأَمَّا

الزَّيْدُ فَيَذْهَبُ جُفَاءً<sup>٦٩</sup> وَأَمَّا مَا يَنْفَعُ النَّاسَ فَيَمْكُثُ فِي الْأَرْضِ  
( 17/ )

( 69 )

: يَتَأَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي

خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً  
( 1/ )

69- : وَمِنْ آيَاتِهِ خَلْقَ السَّمَوَاتِ وَالْأَرْضِ وَاخْتِلَافُ أَلْسِنَتِكُمْ وَالْوَنُكْمُ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّلْعَالَمِينَ ( 22/ ) : أَلَمْ تَرَ أَنَّ اللَّهَ أَنْزَلَ مِنَ السَّمَاءِ مَاءً فَأَخْرَجْنَا بِهِ ثَمَرَاتٍ مُّخْتَلِفًا أَلْوَانُهَا وَمِنَ الْجِبَالِ جُدَدٌ بَيَضٌ وَحُمْرٌ مُّخْتَلِفٌ أَلْوَانُهَا وَغَرَابِيبُ سُودٌ ( 27/ )

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وَلْيَضْرِبَنَّ خُمُرَهُنَّ عَلَىٰ جُيُوبِهِنَّ :

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وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا لِتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ وَيَكُونَ  
الرَّسُولُ عَلَيْكُمْ شَهِيدًا ( 143/ ).

# الولاء بين الدين وبين امواطنة

الشيخ عبد الله بن بيه



: إِنَّمَا وَلِيُّكُمُ اللَّهُ وَرَسُولُهُ وَالَّذِينَ ءَامَنُوا (55/)  
 النَّبِيُّ أَوْلَىٰ بِالْمُؤْمِنِينَ مِنْ أَنفُسِهِمْ وَأَزْوَاجُهُ أُمَّهَاتُهُمْ وَأُولَئُوا  
 الْأَرْحَامُ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ مِنَ الْمُؤْمِنِينَ وَالْمُهَاجِرِينَ  
 إِلَّا أَنْ تَفْعَلُوا إِلَىٰ أَوْلِيَائِكُمْ مَعْرُوفًا كَانَ ذَلِكَ فِي الْكِتَابِ مَسْطُورًا  
 (6/ ) وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ (71/)

الَّذِينَ يَتَّخِذُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ  
 أَيْبَغُونَ عَنْدهُمْ الْعِزَّةَ فَإِنَّ الْعِزَّةَ لِلَّهِ جَمِيعًا (139/ ) لَا يَتَّخِذِ  
 الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ  
 مِنَ اللَّهِ فِي شَيْءٍ إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَنَّةً وَيُحَذِّرُكُمُ اللَّهُ نَفْسَهُ وَإِلَى اللَّهِ  
 الْمَصِيرُ (28/ ) وَأُولُوا الْأَرْحَامُ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ  
 إِنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ (75/ ) : فَأَخَوْنَكُمْ فِي الدِّينِ  
 وَمَوَالِيكُمْ (5/ ) وَإِنِّي خِفْتُ الْمَوَالِيَ مِنْ وَرَائِي وَكَانَتِ امْرَأَتِي  
 عَاقِرًا فَهَبْ لِي مِنْ لَدُنْكَ وَلِيًّا يَرِثُنِي ﴿٥٦﴾ وَيَرِثُ مِنْ عَالٍ يَعْقُوبُ وَأَجْعَلْهُ رَبِّ  
 رَضِيًّا (6-5/ ) :

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»<sup>2</sup>»<sup>1</sup>»<sup>4</sup>»<sup>3</sup> :

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وَالَّذِينَ

عَقَدَتْ أَيْمَانُكُمْ فَآتَوْهُمْ نَصِيحَهُمْ (33/).

إِنَّمَا وَلِيُّكُمُ اللَّهُ وَرَسُولُهُ  
وَالَّذِينَ ءَامَنُوا الَّذِينَ يُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَهُمْ رَاكِعُونَ  
(55/ ) وَأُولُوا الْأَرْحَامِ بَعْضُهُمْ أَوْلَى  
بِبَعْضٍ فِي كِتَابِ اللَّهِ (75/ ). وَإِنِّي خِفْتُ الْمَوَالِيَ مِنْ وَرَائِي (5/ )  
فَإِخْوَانُكُمْ فِي الدِّينِ وَمَوَالِيكُمْ (5/ ).

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: وَأَنْذِرْ عَشِيرَتَكَ الْأَقْرَبِينَ ﴿٢١٤﴾ وَأَخْفِضْ جَنَاحَكَ لِمَنِ اتَّبَعَكَ مِنَ الْمُؤْمِنِينَ ﴿٢١٥﴾ فَإِنْ عَصَوْكَ فَقُلْ إِنَّي بِرِئَءٍ مِّمَّا تَعْمَلُونَ (214-216) وَإِنْ كَذَّبُوكَ فَقُلْ لِي عَمَلِي وَلَكُمْ عَمَلُكُمْ أَنْتُمْ بَرِيءُونَ مِمَّا أَعْمَلُ وَأَنَا بِرِئٍ مِّمَّا تَعْمَلُونَ (41) إِنْ نَقُولُ إِلَّا أَعْرَضَكَ بَعْضُ إِلَهِنَا بِسُوءٍ قَالَ إِنَّي أُشْهِدُ اللَّهَ وَأَشْهَدُوا أَنِّي بِرِئٍ مِّمَّا تُشْرِكُونَ ﴿٢١٦﴾ مِنْ دُونِهِ فَيَكِيدُونِي جَمِيعًا ثُمَّ لَا تُنْظَرُونَ (54-55) قُلْ لَا تُسْأَلُونَ عَمَّا أَجْرَمْنَا وَلَا نُسْأَلُ عَمَّا تَعْمَلُونَ (25) وَإِذْ قَالَ إِبْرَاهِيمُ لِأَبِيهِ وَقَوْمِهِ إِنَّنِي بَرَاءٌ مِمَّا تَعْبُدُونَ ﴿٢١٧﴾ إِلَّا الَّذِي فَطَرَنِي فَإِنَّهُ سَيَهْدِينِ (26).

: إِنَّا بَرَاءٌ أَوْ أَمْنُكُمْ وَمِمَّا تَعْبُدُونَ مِنْ دُونِ اللَّهِ (44/)



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وَكَذَّبَ بِهِ

قَوْمُكَ وَهُوَ الْحَقُّ قُلْ لَسْتُ عَلَيْكُمْ بِوَكِيلٍ (66/) \* وَإِلَىٰ عَادٍ  
 أَخَاهُمْ هُودًا (65/) وَإِلَىٰ ثَمُودَ أَخَاهُمْ صَالِحًا (73/)  
 إِنَّكَ لَا تَهْدِي مَنْ أَحْبَبْتَ

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يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَوْفُوا بِالْعُقُودِ ( 1/ )

: يَتَأْتِيهَا الَّذِينَ ءَامَنُوا لَا تَحْلُوا  
شَعِيرَ اللَّهِ وَلَا الشَّهْرَ الْحَرَامَ وَلَا الْهَدْيَ وَلَا الْقَلَئِدَ وَلَا ءَامِينَ الْبَيْتِ الْحَرَامِ  
يَبْتَغُونَ فَضْلًا مِّن رَّبِّهِمْ وَرِضْوَانًا وَإِذَا حَلَلْتُمْ فَاصْطَادُوا وَلَا تَجْرَمَنَّكُمْ شَنَا  
قَوْمٍ أَن صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَن تَعْتَدُوا وَتَعَاوَنُوا عَلَى الْبِرِّ  
وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ ( 2/ )

لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ  
تُخْرِجُوهُمْ مِّن دِينِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ  
( 8/ ) .

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فَلَوْلَا كَانَ مِنَ الْقُرُونِ مِنْ قَبْلِكُمْ أُؤْلُوا  
بَقِيَّةَ يَنَهُونَ عَنِ الْفَسَادِ فِي الْأَرْضِ ( 116/).

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لَا يَتَّخِذِ

الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ (28/ ) : »

<sup>13</sup> . «

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الَّذِينَ يَتَّخِذُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ (139/ ) (28/ )

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<sup>14</sup> . «

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: وَقُولُوا لِلنَّاسِ حُسْنًا ( 83/ )

<sup>15</sup> «

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المواطنة  
من خلال مبدأ تزكية وإصلاح الجماعة

الدكتور أحمد علي الإمام



« : »  
 « . . " . .  
 1 « " ! :

يَا أَيُّهَا :  
 النَّاسُ إِنَّا خَلَقْنَكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۚ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَنُكُمْ ۚ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ (13/).

وَالزَّمَهُمْ كَلِمَةَ التَّقْوَىٰ :  
 وَكَانُوا أَحَقَّ بِهَا وَأَهْلَهَا (26/)

: أَلَمْ تَرَ كَيْفَ ضَرَبَ اللَّهُ مَثَلًا كَلِمَةً طَيِّبَةً كَشَجَرَةٍ طَيِّبَةٍ أَصْلُهَا ثَابِتٌ وَفَرْعُهَا فِي السَّمَاءِ ﴿٢٤﴾ تُؤْتِي أُكْلَهَا كُلَّ حِينٍ بِإِذْنِ رَبِّهَا ۚ وَيَضْرِبُ اللَّهُ الْآمَثَالَ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ (24-25/)

وَمَا كَانَ عَطَاءُ رَبِّكَ مَحْظُورًا (20/)

صَلَّى

: » :

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ  
وَإِنَّكَ لَعَلَى خُلُقٍ عَظِيمٍ (21/ ) «<sup>2</sup>..

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِّمَن كَانَ يَرْجُوا اللَّهَ  
وَالْيَوْمَ الْآخِرَ وَذَكَرَ اللَّهَ كَثِيرًا (21/ )

وَأَنَّكَ لَتَهْدَى إِلَى صِرَاطٍ مُسْتَقِيمٍ ﴿٥٦﴾ صِرَاطِ اللَّهِ الَّذِي لَهُ مَا فِي السَّمٰوٰتِ وَمَا فِي الْأَرْضِ ۚ أَلَا إِلَى اللَّهِ  
تَصِيرُ الْأُمُورُ (53-52/).

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قَدْ أَفْلَحَ مَنْ تَزَكَّى ( 14/ )

: أَلَا لِلَّهِ الدِّينُ

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الْخَالِصُ ( 3/ )

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«<sup>3</sup>.

﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَايَ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ ۚ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴾ ( 90/ )

: إِنَّ اللَّهَ

يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ ۚ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ ۗ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا ( 58/ )

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قَدْ أَفْلَحَ مَنْ زَكَّاهَا ﴿٩﴾ وَقَدْ خَابَ مَنْ دَسَّاهَا (10-9/)

( )  
 إِلَيْهِ يَصْعَدُ  
 الْكَلِمُ الطَّيِّبُ وَالْعَمَلُ الصَّالِحُ يَرْفَعُهُ ۚ وَالَّذِينَ يَمْكُرُونَ السَّيِّئَاتِ لَهُمْ عَذَابٌ  
 شَدِيدٌ وَمَكْرُ أُولَئِكَ هُوَ يُبْورُ (10/)

: قَدْ أَفْلَحَ مَنْ

تَزَكَّى ﴿١٥﴾ وَذَكَرَ اسْمَ رَبِّهِ فَصَلَّى (15-14/).

وَالَّذِينَ  
 ءَامَنُوا الَّذِينَ يُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَهُمْ رَاكِعُونَ (55/)



: يَا أَيَّتُهَا النَّفْسُ الْمُطْمَئِنَّةُ ﴿٢٧﴾ ارْجِعِي إِلَىٰ رَبِّكِ رَاضِيَةً مَّرْضِيَّةً ﴿٢٨﴾  
 فَادْخُلِي فِي عِبَادِي ﴿٢٩﴾ وَادْخُلِي جَنَّتِي (30-27/  
 : أَلَا بِذِكْرِ اللَّهِ تَطْمَئِنُّ الْقُلُوبُ (28/  
 : وَأَقِمِ الصَّلَاةَ لِذِكْرِي (14/

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صَلَّى اللَّهُ  
 عَلَيْهِ وَسَلَّمَ: »

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: ﴿ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَايَ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ  
الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴾ ( 90/  
: ﴿ لَيْسَ الْبِرَّ أَنْ تُولُوا وَجُوهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلَكِنَّ  
الْبِرَّ مَنْ ءَامَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَآلَمَاتِكَ وَآلِ الْكِتَابِ وَالنَّبِيِّنَ وَءَاتَى الْمَالَ  
عَلَىٰ حُبِّهِ ذَوِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنَ السَّبِيلِ وَالسَّائِلِينَ وَفِي  
الرِّقَابِ وَأَقَامَ الصَّلَاةَ وَءَاتَى الزَّكَاةَ وَالْمُوفُونَ بِعَهْدِهِمْ إِذَا عَاهَدُوا  
وَالصَّابِرِينَ فِي الْبَأْسَاءِ وَالضَّرَّاءِ وَحِينَ الْبَأْسِ أُولَئِكَ الَّذِينَ صَدَقُوا وَأُولَئِكَ  
هُمُ الْمُتَّقُونَ ﴾ ( 177/ )

صَلَّى  
وَعَلَى

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: وَلَا تَقْرَبُوا الزَّيْنَىٰ إِنَّهُ كَانَ فَحِشَةً وَسَاءَ سَبِيلًا

(32/ )

قُلْ  
لِّلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَٰلِكَ أَزْكَىٰ لَهُمْ إِنَّ اللَّهَ  
خَبِيرٌ بِمَا يَصْنَعُونَ (30/).

: وَأَسْتَعِينُوا

بِالصَّبْرِ وَالصَّلَاةِ وَإِنَّهَا لَكَبِيرَةٌ إِلَّا عَلَى الْخَاشِعِينَ (45/)

مَا أَصَابَ مِنْ  
 مُصِيبَةٍ فِي الْأَرْضِ وَلَا فِي أَنْفُسِكُمْ إِلَّا فِي كِتَابٍ مِّن قَبْلُ أَنْ نَبْرَأَهَا إِنَّ  
 ذَلِكَ عَلَى اللَّهِ يَسِيرٌ لَّيْلًا تَأْسَوْا عَلَى مَا فَاتَكُمْ وَلَا تَفْرَحُوا بِمَا آتَاكُمْ  
 وَاللَّهُ لَا يُحِبُّ كُلَّ مُخْتَالٍ فَخُورٍ (23-22/)

مِنْ أَجْلِ ذَلِكَ كَتَبْنَا عَلَى بَنِي إِسْرَءِيلَ أَنَّهُ  
 مَنْ قَتَلَ نَفْسًا بِغَيْرِ نَفْسٍ أَوْ فَسَادٍ فِي الْأَرْضِ فَكَأَنَّمَا قَتَلَ النَّاسَ جَمِيعًا  
 وَمَنْ أَحْيَاهَا فَكَأَنَّمَا أَحْيَا النَّاسَ جَمِيعًا وَلَقَدْ جَاءَتْهُمْ رُسُلُنَا بِالْبَيِّنَاتِ  
 ثُمَّ إِنَّ كَثِيرًا مِّنْهُمْ بَعَدَ ذَلِكَ فِي الْأَرْضِ لَمُسْرِفُونَ (32/)

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يَتَأْتِيهَا :

النَّاسُ إِنَّا خَلَقْنَكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۚ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَىٰكُمْ ۚ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ (13/ )

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وَمِنْ ءَايَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا

لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً ۚ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ (21/ )

فَإِذَا بَلَغْنَ أَجْلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ

فَارْقُوهُنَّ بِمَعْرُوفٍ وَأَشْهِدُوا ذَوَىٰ عَدْلٍ مِنْكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ ۚ ذَٰلِكُمْ يُوعَظُ بِهِ ۚ مَنْ كَانَ يُوْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۖ وَمَنْ يَتَّقِ اللَّهَ ۖ يَجْعَلْ لَهُ مَخْرَجًا (2/ )

وَأِنْ خِفْتُمْ شِقَاقَ

بَيْنَهُمَا فَاذْبَعُوا حُكْمًا مِنْ أَهْلِهِ ۚ وَحُكْمًا مِنْ أَهْلِهَا ۖ إِنْ يُرِيدَا إِصْلَاحًا يُوَفِّقِ اللَّهُ بَيْنَهُمَا ۚ إِنَّ اللَّهَ كَانَ عَلِيمًا خَبِيرًا (35/ )

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 : وَقْتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يُقْتِلُونَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ  
 (190/ )

الَّذِينَ :  
 يُنْفِقُونَ فِي السَّرَّاءِ وَالضَّرَّاءِ وَالْكُظُمِينَ الْغَيْظَ وَالْعَافِينَ عَنِ النَّاسِ وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ (134/ )  
 فَاصْفَحَ الصَّفْحَ الْجَمِيلَ (85/ ) :  
 «

إِلَّا الَّذِينَ ءَامَنُوا وَعَمِلُوا الصَّالِحَاتِ وَتَوَاصَوْا بِالْحَقِّ وَتَوَاصَوْا بِالصَّبْرِ (3/ )  
 وَلِكُلِّ وَجْهَةٌ هُوَ مُوَلِّيَهَا فَاسْتَبِقُوا الْخَيْرَاتِ أَيْنَ مَا تَكُونُوا يَأْتِ بِكُمُ اللَّهُ جَمِيعًا إِنَّ اللَّهَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ (148/ )

: وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ حُنَفَاءَ وَيُقِيمُوا  
الصَّلَاةَ وَيُؤْتُوا الزَّكَاةَ وَذَلِكَ دِينُ الْقِيَمَةِ ﴿٥﴾ ( 5/ )

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« 6.

\* لَا خَيْرَ فِي كَثِيرٍ  
مِّنْ نَّجْوَاهُمْ إِلَّا مَنْ أَمَرَ بِصَدَقَةٍ أَوْ مَعْرُوفٍ أَوْ إِصْلَاحٍ بَيْنَ النَّاسِ وَمَن  
يَفْعَلْ ذَلِكَ ابْتِغَاءَ مَرْضَاتِ اللَّهِ فَسَوْفَ نُؤْتِيهِ أَجْرًا عَظِيمًا ( 114/ )

: كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ  
عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ وَلَوْ ءَامَنَ أَهْلُ الْكِتَابِ لَكَانَ خَيْرًا لَهُمْ  
مِّنْهُمْ الْمُؤْمِنُونَ وَأَكْثَرُهُمُ الْفَاسِقُونَ ( 110/ )

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كَانُوا لَا يَتَنَاهَوْنَ عَنْ مُنْكَرٍ  
فَعَلُوهُ لَبِئْسَ مَا كَانُوا يَفْعَلُونَ (79/).

فَإِنْ أَرَادَا فِصَالًا عَنْ

تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا (233/)  
 : قَدْ سَمِعَ اللَّهُ قَوْلَ الَّتِي تُجَدِّلُكَ فِي زَوْجِهَا وَتَشْتَكِي  
 إِلَى اللَّهِ وَاللَّهُ يَسْمَعُ تَحَاوُرَكُمَا إِنَّ اللَّهَ سَمِيعٌ بَصِيرٌ (1/)

: وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا  
الصَّلَاةَ وَأَمْرُهُمْ شُورَى بَيْنَهُمْ وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ (38/)

: فِيمَا رَحْمَةً مِّنَ اللَّهِ لَئِن لَّهٗمْ وَلَوْ كُنْتَ فَظًا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ  
حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ  
عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ (159/)

مَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِّنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ  
وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَىٰ لَا يَكُونَ دُولَةً  
بَيْنَ الْأَغْنِيَاءِ مِنكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا  
وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ (7/)

: وَءَاتَوْهُمْ مِّن مَّالٍ  
اللَّهُ الَّذِي آتَاكُم (33/).

خُذْ مِّنْ أَمْوَالِهِمْ  
صَدَقَةً تَطْهَرُهَا وَتُرَكِّبُهَا وَصَلَّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ  
عَلِيمٌ (103/)

وَاللَّهُ

فَضَّلَ بَعْضُكُمْ عَلَى بَعْضٍ فِي الرِّزْقِ فَمَا الَّذِينَ فُضِّلُوا بِرَادِّي رِزْقِهِمْ عَلَى  
مَا مَلَكَتْ أَيْمَانُهُمْ فَهُمْ فِيهِ سَوَاءٌ أَفَبِعِزَّةِ اللَّهِ تَجْحَدُونَ ( 71/ ).

المواطنة في غير ديار الإسلام  
بين النافين وامثبتين  
(دراسة فقهية نقدية)

الدكتور صلاح الدين سلطان



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لَقَدْ نَصَرَكُمُ اللَّهُ فِي

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مَوَاطِنَ كَثِيرَةٍ ( 25/ )

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نَصَرَكُمُ اللَّهُ فِي مَوَاطِنَ كَثِيرَةٍ ( 25/ )

: خَفَسْنَا بِهِ وَبَدَارِهِ  
الْأَرْضَ فَمَا كَانَ لَهُ مِنْ فِئَةٍ يَنْصُرُونَهُ مِنْ دُونِ اللَّهِ وَمَا كَانَ مِنَ  
الْمُنْتَصِرِينَ ( 81/ ) :

1. وَالَّذِينَ تَبَوَّءُوا الدَّارَ وَالْإِيمَانَ مِنْ قَبْلِهِمْ يُحِبُّونَ مَنْ هَاجَرَ إِلَيْهِمْ  
( 9/ )

2. فَجَاسُوا خِلَالَ الدِّيَارِ وَكَانَ وَعْدًا مَفْعُولًا ( 5/ )

3. لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّنْ دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ (8/).

4. وَأَوْرَثَكُمْ أَرْضَهُمْ وَدِيَارَهُمْ وَأَمْوَالَهُمْ وَأَرْضًا لَّمْ تَطُوهَا (27/)

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: وَإِذْ أَخَذْنَا مِيثَاقَكُمْ لَا تَسْفِكُونَ دِمَاءَكُمْ وَلَا تُخْرِجُونَ أَنْفُسَكُمْ مِّنْ دِيَارِكُمْ (84/).

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يَتَأَيُّهَا الَّذِينَ ءَامَنُوا لَا تَتَّخِذُوا عَدُوِّي وَعَدُوَّكُمْ أَوْلِيَاءَ تُلْقُونَ إِلَيْهِم بِالْمَوَدَّةِ وَقَدْ كَفَرُوا بِمَا جَاءَكُمْ مِنَ الْحَقِّ تَخْرُجُونَ الرُّسُولَ وَإِيَّاكُمْ أَنْ تُؤْمِنُوا بِاللَّهِ رَبِّكُمْ إِنَّكُمْ خَرَجْتُمْ جِهْدًا فِي سَبِيلِي وَابْتِغَاءَ مَرْضَاتِي تُسِرُّونَ إِلَيْهِم بِالْمَوَدَّةِ وَأَنَا أَعْلَمُ بِمَا أَخْفَيْتُمْ وَمَا أَعْلَنْتُمْ وَمَنْ يَفْعَلْهُ مِنْكُمْ فَقَدْ ضَلَّ سَوَاءَ السَّبِيلِ (1/ )

\* يَتَأَيُّهَا الَّذِينَ ءَامَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَرَى أَوْلِيَاءَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ (51/ )



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: إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ  
 قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا  
 فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا إِلَّا ۖ ٤٧ الْمُسْتَضْعَفِينَ مِنَ  
 الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا  
 (98-97/ )

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162-149-28:

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وَاللَّهُ  
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وَلَا تُطِيعُ فِيكُمْ  
أَحَدًا أَبَدًا ( 11/ )  
لَيْنَ أُخْرِجْتُمْ لَنَخْرُجَنَّ  
مَعَكُمْ وَلَا تُطِيعُ فِيكُمْ أَحَدًا أَبَدًا وَإِنْ قُوتِلْتُمْ لَنَنْصُرَنَّكُمْ وَاللَّهُ يَشْهَدُ إِنَّهُمْ  
لَكَذِبُونَ ( 11/ ).

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وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا  
 فَأَصْلَحُوا بَيْنَهُمَا فَإِنْ بَغَتْ إِحْدَاهُمَا عَلَى الْأُخْرَىٰ فَاقْتُلُوا الَّتِي تَبْغِي حَتَّىٰ  
 تَفِيءَ إِلَىٰ أَمْرِ اللَّهِ ( 9/ )

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.<sup>44</sup>《

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(1) : فَسِيرُوا فِي الْأَرْضِ فَانظُرُوا كَيْفَ كَانَ عَاقِبَةُ  
 الْمُكْذِبِينَ (36/ )

(44: ) (9 42: ) (46: ) (109: ) (137: ) :

(20: ) (69: ) (36: ) (11: ) (10: ) (21 82: )

(69 / 9) . 49

(2) : إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا ( 97/98 ).

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(3) : كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ  
وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ وَلَوْ آمَنَ أَهْلُ الْكِتَابِ لَكَانَ  
خَيْرًا لَهُمْ مِّنْهُمْ الْمُؤْمِنُونَ وَأَكْثَرُهُمُ الْفَاسِقُونَ (110/).

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<sup>52</sup>«

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<sup>53</sup>« .

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وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ ( 107/ )

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وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ : (56/ ) :

54

(4) : وَمَا أَرْسَلْنَاكَ إِلَّا كَافَّةً لِّلنَّاسِ بَشِيرًا وَنَذِيرًا وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ (28/ ) :

-1

-2 هَذِهِ سَبِيلِي أَدْعُو إِلَى اللَّهِ عَلَى بَصِيرَةٍ أَنَا وَمَنِ اتَّبَعَنِي <sup>صَلَّى</sup> وَسُبْحَانَ اللَّهِ وَمَا أَنَا مِنَ الْمُشْرِكِينَ (108/ ) (48) :

55

-3

وَمَا أَرْسَلْنَا مِنْ رَّسُولٍ إِلَّا بِلِسَانٍ قَوْمِهِ  
 لِيُبَيِّنَ لَهُمْ فَيُضِلُّ اللَّهُ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاءُ وَهُوَ الْعَزِيزُ الْحَكِيمُ  
 (4/ )

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(5) (20/ )  
وَأَخْرُونَ يَضْرِبُونَ فِي الْأَرْضِ يَبْتَغُونَ مِنْ فَضْلِ اللَّهِ

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57

لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا فَضْلًا مِنْ رَبِّكُمْ  
فَإِذَا أَفَضْتُمْ مِنْ عَرَفْتٍ فَادْكُرُوا اللَّهَ عِنْدَ الْمَشْعَرِ الْحَرَامِ وَاذْكُرُوهُ  
كَمَا هَدَيْتُمْ وَإِنْ كُنْتُمْ مِنْ قَبْلِهِ لَمَنِ الضَّالِّينَ (198/ )

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«<sup>58</sup>.

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لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا ﷺ

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«<sup>59</sup>.

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# واقع الوجود الإسلامي في أوروبا

الدكتور محمد الهواري



## CARTE POLITIQUE

(2006                      2003                      )

### Les pays d'Europe (Février 2003 - Juin 2006)



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# الوسطية بين مقتضيات المواطنة في أوروبا والحفاظ على الهوية الإسلامية

الدكتور أحمد جاء بالله





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: يَتَأَيُّهَا الَّذِينَ ءَامَنُوا أَوْفُوا بِالْعُقُودِ ( 1/ ) .

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Article 91 – Liberté de pensée, de conscience et de religion

- 1 Toute personne a droit à la liberté de pensée, de conscience et de religion ; ce droit implique la liberté de changer de religion ou de conviction, ainsi que la liberté de manifester sa religion ou sa conviction individuellement ou collectivement, en public ou en privé, par le culte, l'enseignement, les pratiques et l'accomplissement des rites.
- 2 La liberté de manifester sa religion ou ses convictions ne peut faire l'objet d'autres restrictions que celles qui, prévues par la loi, constituent des mesures nécessaires, dans une société démocratique, à la sécurité publique, à la protection de l'ordre, de la santé ou de la morale publiques, ou à la protection des droits et libertés d'autrui.

: وَإِنْ أَسْتَنْصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمْ النَّصْرُ إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُم مِّيثَقٌ ( 72/ ) .

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: ﴿ وَإِلَىٰ عَادٍ أَخَاهُمْ هُودًا ۖ قَالَ  
يَقَوْمِ اعْبُدُوا اللَّهَ مَا لَكُم مِّنْ إِلَهِ غَيْرُهُ ۖ أَفَلَا تَتَّقُونَ (65/ ) وَإِلَىٰ  
ثَمُودَ أَخَاهُمْ صَالِحًا ۖ قَالَ يَقَوْمِ اعْبُدُوا اللَّهَ مَا لَكُم مِّنْ إِلَهِ غَيْرُهُ ۖ  
(73/ ) وَلُوطًا إِذْ قَالَ لِقَوْمِهِ ۖ أَتَأْتُونَ الْفَاحِشَةَ مَا سَبَقَكُمْ بِهَا مِنْ  
أَحَدٍ مِّنَ الْعَالَمِينَ (80/ ) وَإِلَىٰ مَدْيَنَ أَخَاهُمْ شُعَيْبًا ۖ قَالَ  
يَقَوْمِ اعْبُدُوا اللَّهَ (85/ ) .

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: قُلْ يَٰٓأَهْلَ ٱلْكِتَٰبِ تَعَالَوْا۟ إِلَىٰ كَلِمَةٍ سَوَآءٍ بَيْنَنَا وَبَيْنَكُمْ )  
(64/ ) .

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لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقْتِلُوكُمْ فِي الدِّينِ وَلَمْ  
تُخْرِجُوهُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ  
(8/).

وَتُقْسِطُوا إِلَيْهِمْ » :

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# حكم مشاركة المسلمين في مجتمعات الأقليات اجتماعياً وسياسياً

الدكتور حمزة بن حسين الفعر الشريف



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: إِنَّ الَّذِينَ تَوَفَّيْتُهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا

(1)

مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا ﴿٩٨﴾ فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُو عَنْهُمْ وَكَانَ اللَّهُ عَفُورًا ( 97-99).

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«<sup>3</sup>.

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: وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا (275/  
فَإِنْ لَمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ  
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(279/ )

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<sup>5</sup>«

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<sup>6</sup>«

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وَمَمَّا تَبَلَ اللَّهُ رَبَّ الْعَالَمِينَ (162/ ) : قُلْ إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ

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وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ ۝

(107/ )

يَتَأْتِيهَا النَّاسُ أَعْبُدُوا رَبَّكُمْ  
الَّذِي خَلَقَكُمْ وَالَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ (21/ ) يَتَأْتِيهَا النَّاسُ  
إِنَّا خَلَقْنَاهُ مِن ذَكَرٍ وَأُنْثَى (13/ ) يَبْنِي عَادَمَ لَا يَفْتَنَنَّكُمْ  
الشَّيْطَانُ كَمَا أَخْرَجَ أَبَوَيْكُم مِّنَ الْجَنَّةِ يَنزِعُ عَنْهُمَا لِبَاسَهُمَا لِيُرِيَهُمَا  
سَوْءَاتِهِمَا إِنَّهُ يَرِيكُمْ هُوَ وَقَبِيلُهُ مِن حَيْثُ لَا تَرَوْنَهُمْ إِنَّا جَعَلْنَا الشَّيَاطِينَ  
أَوْلِيَاءَ لِلَّذِينَ لَا يُؤْمِنُونَ (27/ )

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صلى الله  
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(77/ ) وَلَا تَبْغِ الْفَسَادَ فِي الْأَرْضِ إِنَّ اللَّهَ لَا يُحِبُّ الْمُفْسِدِينَ  
(56/ ) : وَلَا تُفْسِدُوا فِي الْأَرْضِ بَعْدَ إِصْلَاحِهَا

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وَأَنَّكَ لَعَلَى خُلُقٍ عَظِيمٍ (4/ ) : وَلَوْ كُنْتَ فَظًا غَلِيظَ الْقَلْبِ  
لَأَنْفَضُوكَ مِنْ حَوْلِكَ (159/).

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<sup>16</sup>  
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<sup>17</sup>  
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وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ

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الْمُحْسِنِينَ (195/ )

<sup>18</sup>  
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(16)

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وَقُلْ لِّعِبَادِي

يَقُولُوا اَلَّتِي هِيَ اَحْسَنُ ( 53/ ) وَقُولُوا لِلنَّاسِ حُسْنًا  
 ( 83/ ) وَلَا تُجْدِلُوا اَهْلَ الْكِتَابِ اِلَّا بِاَلَّتِي هِيَ  
 اَحْسَنُ ( 46/ ).

اِنَّ اِلَهَآءَ يَأْمُرُ بِالْعَدْلِ وَالْاِحْسَنِ ( 90/ )

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(19) 166/10.

(20) .

: وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوْا أَعْدِلُوْا  
هُوَ أَقْرَبُ لِلتَّقْوَىٰ ( 8/ ).

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وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ :  
(2/ )

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# قواعد الاندماج الإيجابي للمسلمين في أوروبا

الشيخ حسين حلاوة



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Oxford Dictionary p 675 4

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إِنَّ الَّذِينَ تَوَفَّيْنَاهُمْ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ  
 قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَسِعَةً فَتُهَاجِرُوا  
 فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَضْعَفِينَ مِنَ  
 الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا ﴿٩٨﴾  
 فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٩٩﴾ وَمَنْ يُهَاجِرْ  
 فِي سَبِيلِ اللَّهِ تَجِدْ فِي الْأَرْضِ مُرَاعِمًا كَثِيرًا وَسِعَةً وَمَنْ تَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا  
 إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكْهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا  
 رَحِيمًا ( 97/100).

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: وَلَقَدْ كَتَبْنَا فِي الزَّبُورِ مِنْ بَعْدِ الذِّكْرِ أَنَّ الْأَرْضَ يَرِثُهَا  
عِبَادِيَ الصَّالِحُونَ ( 105/ )

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: إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ  
 قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَسِعَةً فَهَاجِرُوا  
 فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَضْعَفِينَ مِنَ  
 الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا ﴿٩٨﴾  
 فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ عَفُوًّا غَفُورًا ﴿٩٩﴾ \* وَمَنْ يَهَاجِرْ  
 فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاعِمًا كَثِيرًا وَسِعَةً ( 97-100 )

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ﻋﻠﻴﻪ ﺍﻟﺴﻼﻡ

ﻋﻠﻴﻪ ﺍﻟﺴﻼﻡ

ﻋﻠﻴﻪ ﺍﻟﺴﻼﻡ

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ﻋﻠﻴﻪ ﺍﻟﺴﻼﻡ

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1. : ﴿يَتَّخِذُ الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْيَهُودَ وَالنَّصَارَى أَوْلِيَاءَ ۚ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ ۚ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ ۚ إِنَّ اللَّهَ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ (51/ ) وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ (23/ )

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: فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا (65/).

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وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا  
لِّتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ وَيَكُونَ الرَّسُولُ عَلَيْكُمْ شَهِيدًا ( 143/ ).

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يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۚ إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقْوَاهُ ۚ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ  
(13/ )

وَأَعْبُدُوا :  
اللَّهُ وَلَا تُشْرِكُوا بِهِ شَيْئًا ۚ وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ  
وَالْمَسْكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنبِ وَابْنِ  
السَّبِيلِ وَمَا مَلَكَتْ أَيْمَانُكُمْ ۚ إِنَّ اللَّهَ لَا يُحِبُّ مَنْ كَانَ مُخْتَالًا فَخُورًا  
(36/ )  
وَعَاشِرُوهُمْ بِالْمَعْرُوفِ ۚ فَإِنْ كَرِهْتُمُوهُمْ فَعَسَىٰ  
أَنْ تَكْرَهُوا شَيْئًا وَتَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا (19/ ) : فَاِمْسَاكُ  
بِمَعْرُوفٍ أَوْ تَسْرِيحُ بِإِحْسَانٍ... (229/ )  
: وَقُولُوا لِلنَّاسِ حُسْنًا (83/ ) :

لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ (8/)

: وَإِن أَحَدٌ مِّنَ الْمُشْرِكِينَ اسْتَجَارَكَ فَأَجِرْهُ حَتَّى يَسْمَعَ كَلِمَ اللَّهِ ثُمَّ أَبْلِغْهُ مَأْمَنَهُ ذَٰلِكَ بِأَنَّهُمْ قَوْمٌ لَا يَعْلَمُونَ (6/)

: وَأَوْفُوا بِعَهْدِ اللَّهِ إِذَا عَاهَدْتُمْ وَلَا تَنْقُضُوا الْأَيْمَانَ بَعْدَ تَوْكِيدِهَا وَقَدْ جَعَلْتُمُ اللَّهَ عَلَيْكُمْ كَفِيلًا إِنَّ اللَّهَ يَعْلَمُ مَا تَفْعَلُونَ (91/)

: وَلَا تَقْرَبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّى يَبْلُغَ أَشُدَّهُ وَأَوْفُوا بِالْعَهْدِ إِنَّ الْعَهْدَ كَان مَسْئُولًا ﴿٢٤﴾ وَأَوْفُوا الْكَيْلَ إِذَا كِلْتُمْ وَزَنُوا بِالْقِسْطَاسِ الْمُسْتَقِيمِ ذَٰلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا (35-34/)

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تَوَدُّوا الْأَمْنَتَ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا (58/)

: يٰٓأَيُّهَا الَّذِينَ ءَامَنُوا اجْتَنِبُوا كَثِيرًا مِّنَ الظَّنِّ إِنَّ بَعْضَ الظَّنِّ إِثْمٌ وَلَا تَجَسَّسُوا وَلَا يَغْتَب بَّعْضُكُم بَعْضًا أَتُحِبُّ أَحَدُكُمْ أَنْ يَأْكُلَ لَحْمَ أَخِيهِ مَيْتًا فَكَرِهْتُمُوهُ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ تَوَّابٌ رَّحِيمٌ (12/)

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صلى الله عليه وسلم

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» : صلى الله عليه وسلم

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صلى الله عليه وسلم

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وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ :  
 وَمَا أَرْسَلْنَاكَ إِلَّا كَافَّةً لِّلنَّاسِ بَشِيرًا  
 (107/ )  
 وَنَذِيرًا (28/ )

هُوَ أَنشَأَكُم مِّن  
 الْأَرْضِ وَأَسْتَعْمَرَكُمْ فِيهَا (61/ )  
 يَتَأَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِّن ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ  
 لِتَعَارَفُوا (13/ )

لَّا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ  
 يُقْتُلُواكُم فِي الدِّينِ وَلَمْ يُخْرِجُواكُم مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ  
 اللَّهَ يُحِبُّ الْمُقْسِطِينَ (8/ )

» :

«

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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وَمَنْ يُعْظِمَ شَعِيرَ

اللَّهِ فَإِنَّهَا مِنْ تَقْوَى الْقُلُوبِ ( 32/ )

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العليه

وَقَالَ الْمَلِكُ إِنِّي أَرَى سَبْعَ بَقَرَاتٍ سِمَانٍ يَأْكُلُهُنَّ سَبْعٌ عِجَافٌ وَسَبْعٌ سُنبُلَاتٍ خُضَرٍ وَأُخَرَ يَابِسَاتٍ يَا أَيُّهَا الْمَلَأُ أَفْتُونِي فِي رَأْيِي إِنْ كُنْتُمْ لِلرُّءْيَا تَعْبُرُونَ ﴿٤٣﴾ قَالُوا أَضْغَتْ أَحْلَمَ وَمَا خُنْ بِتَأْوِيلِ الْأَحْلَمِ بِعَلَمِينَ ﴿٤٤﴾ وَقَالَ الَّذِي خُجَا مِنْهُمَا وَادَّكَرَ بَعْدَ أُمَّةٍ أَنَا أُنَبِّئُكُمْ بِتَأْوِيلِهِ فَأَرْسِلُونِ ﴿٤٥﴾ يُوسُفُ أَيُّهَا الصِّدِّيقُ أَفْتِنَا فِي سَبْعِ بَقَرَاتٍ سِمَانٍ يَأْكُلُهُنَّ سَبْعٌ عِجَافٌ وَسَبْعِ سُنبُلَاتٍ خُضَرٍ وَأُخَرَ يَابِسَاتٍ لَعَلِّي أَرْجِعُ إِلَى النَّاسِ لَعَلَّهُمْ يَعْلَمُونَ (46-43/)

قَالَ مَا

خَطْبُكُمْ إِذْ رَاوَدْتُنَّ يُوسُفَ عَنْ نَفْسِهِ قُلْنَ حَاشَ لِلَّهِ مَا عَلَّمَنَا عَلَيْهِ مِنْ سُوءٍ قَالَتِ امْرَأَتُ الْعَزِيزِ النَّسْ حَصْحَصَ الْحَقُّ أَنَا رَاوَدْتُهُ عَنْ نَفْسِهِ وَإِنَّهُ لَمِنَ الصِّدِّيقِينَ (51/)

العليه

وَقَالَ الْمَلِكُ أَتُتُونِي بِهِ أَسْتَخْلِصْهُ لِنَفْسِي فَلَمَّا كَلَّمَهُ قَالَ إِنَّكَ الْيَوْمَ لَدَيْنَا مَكِينٌ أَمِينٌ ﴿٥١﴾ قَالَ اجْعَلْنِي عَلَى خَزَائِنِ الْأَرْضِ إِنِّي حَفِيظٌ عَلِيمٌ

( ) (55-54/).  
 : فَلَمَّا دَخَلُوا عَلَى يُوسُفَ ءَاوَىٰ إِلَيْهِ أَبْوِيَّهُ وَقَالَ ادْخُلُوا  
 مِصْرَ إِن شَاءَ اللَّهُ ءَامِنِينَ (99/)

الْعَلَيْهِ

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: أَدْعُ إِلَى سَبِيلِ  
رَبِّكَ بِالْحُكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ وَجَدِلْهُمْ بِالَّتِي هِيَ أَحْسَنُ ( 125/ ).

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فَلَنْ تَجِدَ لِسُنَّتِ اللَّهِ  
تَبْدِيلًا ۖ وَلَنْ تَجِدَ لِسُنَّتِ اللَّهِ تَحْوِيلًا ( 43/ ).

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: وَلَوْ شَاءَ رَبُّكَ  
لَجَعَلَ النَّاسَ أُمَّةً وَاحِدَةً ۖ وَلَا يَزَالُونَ مُخْتَلِفِينَ ( 118/ )

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ﷻ:

وَقُلِ الْحَقُّ مِنْ رَبِّكُمْ ۖ فَمَنْ شَاءَ  
فَلْيُؤْمِنْ وَمَنْ شَاءَ فَلْيُكْفُرْ ( 29/ )  
وَلَوْ شَاءَ رَبُّكَ لَأَمَنَّ الْمُنَافِقِينَ ۚ فَكَيْفَ يُؤْمِنُ الَّذِينَ  
يَكُونُوا مُؤْمِنِينَ ( 99/ ).

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35 2 446.



يَتَأْتِيهَا النَّاسُ إِنَّا  
خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ  
اللَّهِ أَتَقَنُّكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ (13/ )

لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ  
لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ  
إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ (8/ )

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وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ  
(2/ )

:

: أَسْتَكْبَرًا فِي الْأَرْضِ وَمَكْرَ السَّيِّئِ ۚ وَلَا تَحِيقُ الْمَكْرُ  
السَّيِّئُ إِلَّا بِأَهْلِهِ ۚ فَهَلْ يَنْظُرُونَ إِلَّا سُنَّتَ الْأَوَّلِينَ ۚ فَلَنْ تَجِدَ لِسُنَّتِ اللَّهِ  
تَبْدِيلًا وَلَنْ تَجِدَ لِسُنَّتِ اللَّهِ تَحْوِيلًا (43/ )

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إِنْ  
يَمَسُّكُمْ قَرْحٌ فَقَدْ مَسَّ الْقَوْمَ قَرْحٌ مِثْلُهُ ۚ وَتِلْكَ الْأَيَّامُ نُدَاوِلُهَا بَيْنَ النَّاسِ  
(140/ )

إِنَّ اللَّهَ لَا يُغَيِّرُ مَا بِقَوْمٍ حَتَّى يُغَيِّرُوا مَا بِأَنْفُسِهِمْ (11/).

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وَإِذْ قَالَ رَبُّكَ لِلْمَلٰٓئِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً ۖ قَالُوا أَتَجْعَلُ فِيهَا مَن يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَآءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ ۗ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ ﴿٣٠﴾ وَعَلَّمَ ءَادَمَ الْأَسْمَآءَ كُلَّهَا ثُمَّ عَرَضَهُمْ عَلَى الْمَلٰٓئِكَةِ فَقَالَ أَنْبِئُونِي بِأَسْمَآءِ هٰٓؤُلَآءِ إِن كُنْتُمْ صَادِقِينَ ﴿٣١﴾ قَالُوا سُبْحٰنَكَ لَا عِلْمَ لَنَا إِلَّا مَا عَلَّمْتَنَا ۚ إِنَّكَ أَنْتَ الْعَلِيمُ الْحَكِيمُ ﴿٣٢﴾ قَالَ يَتَّخِذُمْ أَنْبِيَآئَهُمْ بِأَسْمَآئِهِمْ فَلَمَّآ أَنْبَأَهُمْ بِأَسْمَآئِهِمْ قَالَ أَلَمْ أَقُلْ لَّكُمْ إِنِّي أَعْلَمُ غَيْبَ السَّمٰوٰتِ وَالْأَرْضِ وَأَعْلَمُ مَا تُبْدُونَ وَمَا كُنْتُمْ تَكْتُمُونَ ( 30-33/ )

قَالَ يٰٓإِبْرٰٓءِیْمُ مَا مَنَعَكَ أَنْ تَسْجُدَ لِمَا خَلَقْتُ بِیَدَیَّ ۖ أَسْتَكْبِرْتَ أَمْ كُنْتَ مِنَ الْعَالِیْنَ ﴿٧٥﴾ قَالَ أَنَا خَيْرٌ مِّنْهُ خَلَقْتَنِي مِن نَّارٍ وَخَلَقْتَهُ مِن طِیْنٍ ﴿٧٦﴾ قَالَ فَآخْرُجْ مِنْهَا فَإِنَّكَ رَجِیْمٌ وَإِنَّ ۖ عَلَيْكَ لَعْنَتِي إِلَى يَوْمِ الدِّیْنِ ﴿٧٨﴾ قَالَ رَبِّ فَأَنْظِرْنِي إِلَى يَوْمِ يُبْعَثُونَ ﴿٧٩﴾ قَالَ فَإِنَّكَ مِنَ الْمُنْظَرِينَ ﴿٨٠﴾ إِلَى يَوْمِ الْوَقْتِ الْمَعْلُومِ ﴿٨١﴾ قَالَ فَبِعِزَّتِكَ لَأُغْوِيَنَّهُمْ أَجْمَعِينَ ﴿٨٢﴾ إِلَّا عِبَادَكَ مِنْهُمُ الْمُخْلَصِينَ ﴿٨٣﴾ قَالَ فَالْحَقُّ وَالْحَقُّ أَقُولُ ﴿٨٤﴾ لَأَمْلَأَنَّ جَهَنَّمَ مِنكَ وَمِمَّن تَبِعَكَ مِنْهُمْ أَجْمَعِينَ ( 75-85/ )

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الْعَلِيَّةُ : أَلَمْ تَر إِلَى الَّذِي حَآجَّ إِبْرٰٓهٖمَ فِي رَبِّهِ ۚ أَنْ ءَاتَاهُ اللَّهُ الْمُلْكَ ۚ إِذْ قَالَ إِبْرٰٓهٖمُ رَبِّي الَّذِي يُحْيِي ۚ وَيُمِيتُ قَالَ أَنَا أَحْيِي ۚ

وَأُمِيتُ قَالَ إِبْرَاهِيمُ فَإِنَّ اللَّهَ يَأْتِي بِالشَّمْسِ مِنَ الْمَشْرِقِ فَأْتِ بِهَا مِنَ الْمَغْرِبِ فَبُهِتَ الَّذِي كَفَرَ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ (258/).

: إِذْ قَالَ لِأَبِيهِ وَقَوْمِهِ مَا هَذِهِ التَّمَاثِيلُ الَّتِي أَنْتُمْ لَهَا عَكِفُونَ ﴿٥٦﴾ قَالُوا وَجَدْنَا آبَاءَنَا لَهَا عِبَادِينَ ﴿٥٧﴾ قَالَ لَقَدْ كُنْتُمْ أَنْتُمْ وَءَابَاؤُكُمْ فِي ضَلَالٍ مُبِينٍ ﴿٥٨﴾ قَالُوا أَجِئْتَنَا بِالْحَقِّ أَمْ أَنْتَ مِنَ اللَّاعِبِينَ ﴿٥٩﴾ قَالَ بَلْ رَبُّكُمْ رَبُّ السَّمَوَاتِ وَالْأَرْضِ الَّذِي فَطَرَهُنَّ وَأَنَا عَلَى ذَٰلِكُمْ مِنَ الشَّاهِدِينَ ﴿٦٠﴾ وَتَاللَّهِ لَأَكِيدَنَّ أَصْنَامَكُمْ بَعْدَ أَنْ تُولُوا مُدْبِرِينَ ﴿٦١﴾ فَجَعَلَهُمْ جُذُأً إِلَّا كَبِيرًا لَهُمْ لَعَلَّهُمْ إِلَيْهِ يَرْجِعُونَ ﴿٦٢﴾ قَالُوا مَنْ فَعَلَ هَٰذَا بِآلِهَتِنَا إِنَّهُ لَمِنَ الظَّالِمِينَ ﴿٦٣﴾ قَالُوا سَمِعْنَا فَتًى يَذْكُرُهُمْ يُقَالُ لَهُ إِبْرَاهِيمُ ﴿٦٤﴾ قَالُوا فَاتُّوا بِهِ عَلَى أَعْيُنِ النَّاسِ لَعَلَّهُمْ يَشْهَدُونَ ﴿٦٥﴾ قَالُوا أَنْتَ فَعَلْتَ هَٰذَا بِآلِهَتِنَا يَتَابَرَاهِيمُ ﴿٦٦﴾ قَالَ بَلْ فَعَلَهُ كَبِيرُهُمْ هَٰذَا فَسَأَلُوهُمْ إِنْ كَانُوا يَنْطِقُونَ ﴿٦٧﴾ فَرَجَعُوا إِلَى أَنْفُسِهِمْ فَقَالُوا إِنَّكُمْ أَنْتُمُ الظَّالِمُونَ ﴿٦٨﴾ ثُمَّ نَكَسُوا عَلَى رُءُوسِهِمْ لَقَدْ عَلِمْتُمْ مَا هَٰؤُلَاءِ يَنْطِقُونَ ﴿٦٩﴾ قَالَ أَفَتَعْبُدُونَ مِنْ دُونِ اللَّهِ مَا لَا يَنْفَعُكُمْ شَيْئًا وَلَا يَضُرُّكُمْ ﴿٧٠﴾ أَفِ لَكُمْ وَلِمَا تَعْبُدُونَ مِنْ دُونِ اللَّهِ أَفَلَا تَعْقِلُونَ ﴿٧١﴾ قَالُوا حَرِّقُوهُ وَانصُرُوا آلِهَتَكُمْ إِنْ كُنْتُمْ فَاعِلِينَ ﴿٧٢﴾ قُلْنَا يَنَارُ كُونِي بَرْدًا وَسَلَامًا عَلَى إِبْرَاهِيمَ ﴿٧٣﴾ وَأَرَادُوا بِهِ كَيْدًا فَجَعَلْنَاهُمُ الْأَخْسَرِينَ (52-70/).

إِذْ قَالَ لِأَبِيهِ يَتَابَتِ لِمَ تَعْبُدُ مَا لَا يَسْمَعُ وَلَا يُبْصِرُ وَلَا يُغْنِي عَنْكَ شَيْئًا ﴿٧٤﴾ يَتَابَتِ إِنْ قَدْ جَاءَنِي مِنَ الْعِلْمِ مَا لَمْ يَأْتِكَ فَاتَّبِعْنِي أَهْدِكَ صِرَاطًا سَوِيًّا ﴿٧٥﴾ يَتَابَتِ لَا تَعْبُدِ الشَّيْطَانَ إِنَّ الشَّيْطَانَ كَانَ لِلرَّحْمَنِ عَصِيًّا ﴿٧٦﴾ يَتَابَتِ إِنْ أَخَافُ أَنْ يَمَسَّكَ عَذَابٌ مِنَ الرَّحْمَنِ فَتَكُونَ لِلشَّيْطَانِ وَلِيًّا ﴿٧٧﴾ قَالَ أَرَأَيْتَ أَنْتَ عَنْ آلِهَتِي يَتَابَرَاهِيمُ ﴿٧٨﴾ لَنْ لَمْ تَنْتَهَ لِأَرْجَمْنِكَ وَأَهْجَرْنِي مَلِيًّا ﴿٧٩﴾ قَالَ سَلِمَ عَلَيْكَ سَأَسْتَغْفِرُ لَكَ رَبِّي إِنَّهُ كَانَ بِي حَفِيًّا ﴿٨٠﴾ وَأَعْتَزِلُكُمْ

وَمَا تَدْعُونَ مِنْ دُونِ اللَّهِ وَأَدْعُوا رَبِّي عَسَىٰ أَكُونَ بِدُعَاءِ رَبِّي شَقِيًّا  
(48-42/ )

وَاللَّيْلِ  
وَإِلَىٰ مَدْيَنَ أَخَاهُمْ شُعَيْبًا قَالَ يَبْقُومُ  
أَعْبُدُوا اللَّهَ مَا لَكُمْ مِنْ إِلَهٍ غَيْرُهُ ۖ قَدْ جَاءَ تَكُمْ بَيِّنَةٌ مِنْ رَبِّكُمْ فَافْزَعُوا  
الْكَيْلَ وَالْمِيزَانَ وَلَا تَبْخُسُوا النَّاسَ أَمْشَاءَهُمْ وَلَا تَفْسُدُوا فِي  
الْأَرْضِ بَعْدَ إِصْلَاحِهَا ۚ ذَٰلِكُمْ خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ مُؤْمِنِينَ  
(85/ )

الْعَلَمِينَ

قَالَ أَلَمْ نُرَبِّكَ فِينَا  
وَلِيدًا وَلَبِثْتَ فِينَا مِنْ عُمُرِكَ سِنِينَ ﴿١٨﴾ وَفَعَلْتَ فَعَلَتِكَ الَّتِي فَعَلْتَ وَأَنْتَ مِنَ  
الْكَافِرِينَ ﴿١٩﴾ قَالَ فَعَلْتُهَا إِذَا وَأَنَا مِنَ الضَّالِّينَ ﴿٢٠﴾ فَفَرَرْتُ مِنْكُمْ لَمَّا  
خِفْتُكُمْ فَوَهَبَ لِي رَبِّي حُكْمًا وَجَعَلَنِي مِنَ الْمُرْسَلِينَ ﴿٢١﴾ وَتِلْكَ نِعْمَةٌ تَمُنُّهَا  
عَلَىٰ أَنْ عَبَّدتَ بَنِي إِسْرَءِيلَ ﴿٢٢﴾ قَالَ فِرْعَوْنُ وَمَا رَبُّ الْعَالَمِينَ ﴿٢٣﴾ قَالَ  
رَبُّ السَّمَوَاتِ وَالْأَرْضِ وَمَا بَيْنَهُمَا إِنْ كُنْتُمْ مُوقِنِينَ ﴿٢٤﴾ قَالَ لِمَنْ حَوْلَهُ ۖ أَلَا  
تَسْتَمْعُونَ ﴿٢٥﴾ قَالَ رَبُّكُمْ وَرَبُّ آبَائِكُمُ الْأَوَّلِينَ ﴿٢٦﴾ قَالَ رَبُّ الْمَشْرِقِ  
وَالْمَغْرِبِ وَمَا بَيْنَهُمَا إِنْ كُنْتُمْ تَعْقِلُونَ ﴿٢٧﴾ لَئِنْ أَخَذْتِ إِلَهًا غَيْرِي  
لَأَجْعَلَكَ مِنَ الْمَسْجُونِينَ ﴿٢٨﴾ قَالَ أُولُو جُنُودِكَ بَشَىٰ ۖ مُبِينٌ ﴿٢٩﴾ قَالَ فَاتِ  
بِهِ ۖ إِنْ كُنْتَ مِنَ الصَّادِقِينَ ﴿٣٠﴾ فَأَلْقَىٰ عَصَاهُ فَإِذَا هِيَ ثُعْبَانٌ مُبِينٌ ﴿٣١﴾  
وَنَزَعَ يَدَهُ فَإِذَا هِيَ بَيْضَاءُ لِلنَّظَرِينَ ﴿٣٢﴾ قَالَ لِلْمَلَأِ حَوْلَهُ ۖ إِنَّ هَٰذَا لَسِحْرُ  
عَلِيمٍ ﴿٣٣﴾ يُرِيدُ أَنْ يُخْرِجَكُمْ مِنْ أَرْضِكُمْ بِسِحْرِهِ فَمَاذَا تَأْمُرُونَ ﴿٣٤﴾  
قَالُوا أَرْجِهْ وَأَخَاهُ وَأَبْعَثْ فِي الْمَدَائِنِ حَاشِرِينَ ﴿٣٥﴾ يَأْتُوكَ بِكُلِّ سَحَابٍ  
عَلِيمٍ ﴿٣٦﴾ فَجُمِعَ السَّحَرَةُ لِمِيقَاتِ يَوْمٍ مَعْلُومٍ ﴿٣٧﴾ وَقِيلَ لِلنَّاسِ هَلْ أَنْتُمْ  
مُجْتَمِعُونَ ﴿٣٨﴾ لَعَلْنَا نَتَّبِعُ السَّحَرَةَ إِنْ كَانُوا هُمُ الْغَالِبِينَ ﴿٣٩﴾ فَلَمَّا جَاءَ السَّحَرَةُ

قَالُوا لِفِرْعَوْنَ إِنْ لَنَا لِأَجْرًا إِنْ كُنَّا نَحْنُ الْغَالِبِينَ ﴿٤١﴾ قَالَ نَعَمْ وَإِنَّكُمْ إِذَا لَمِنَ الْمُقَرَّبِينَ ﴿٤٢﴾ قَالَ لَهُمْ مُوسَى أَلْقُوا مَا أَنْتُمْ مُلْقُونَ ﴿٤٣﴾ فَأَلْقَوْا حِبَاهُمْ وَعَصِيَّهُمْ وَقَالُوا بِعِزَّةِ فِرْعَوْنَ إِنَّا لَنَحْنُ الْغَالِبُونَ ﴿٤٤﴾ فَأَلْقَى مُوسَى عَصَاهُ فَإِذَا هِيَ تَلْقَفُ مَا يَأْفِكُونَ ﴿٤٥﴾ فَأَلْقَى السَّحَرَةُ سَجْدِينَ ﴿٤٦﴾ قَالُوا ءَامَنَّا بِرَبِّ الْعَالَمِينَ ﴿٤٧﴾ رَبِّ مُوسَى وَهَارُونَ ( 18/ - 48 )

أَدْعُ إِلَى سَبِيلِ رَبِّكَ  
بِالْحِكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ ۚ وَجَدِلْهُمْ بِلَايَتِي هِيَ أَحْسَنُ ۚ إِنَّ رَبَّكَ هُوَ أَعْلَمُ  
بِمَنْ ضَلَّ عَنْ سَبِيلِهِ ۚ وَهُوَ أَعْلَمُ بِالْمُهْتَدِينَ ( 125/ )  
وَلَا تَجْدِلُوا أَهْلَ الْكِتَابِ إِلَّا بِالَّتِي هِيَ  
أَحْسَنُ ( 46/ )

يَتَأَيَّهَا :

وَأَوْفُوا بِالْعَهْدِ

الَّذِينَ ءَامَنُوا أَوْفُوا بِالْعُقُودِ ( 1/ )

ﷺ

إِنَّ الْعَهْدَ كَانَ مَسْئُولًا (34/).

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وَمَنْ أَظْلَمُ مِمَّنْ مَنَعَ مَسْجِدَ اللَّهِ أَنْ يُذْكَرَ فِيهَا اسْمُهُ  
وَسَعَى فِي خَرَابِهَا أُولَئِكَ مَا كَانَ لَهُمْ أَنْ يَدْخُلُوهَا إِلَّا خَائِفِينَ لَهُمْ فِي  
الدُّنْيَا خِزْيٌ وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ ( 114/ ).

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كُنْتُمْ خَيْرَ أُمَّةٍ )

(110/ وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً (143/

وَلَا تَنَزَعُوا فَتَفْشَلُوا وَتَذْهَبَ رِجَاكُمْ (46/).

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وَلَا تَجْرِمَنكُمْ شَنَّانُ قَوْمٍ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا  
وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ وَاتَّقُوا اللَّهَ إِنَّ  
اللَّهَ شَدِيدُ الْعِقَابِ (2/).

❖ لَيْسُوا سَوَاءً ۚ مِّنْ أَهْلِ الْكِتَابِ أُمَّةٌ قَائِمَةٌ يَتْلُونَ ءَايَاتِ اللَّهِ  
ءَانَاءَ اللَّيْلِ وَهُمْ يَسْجُدُونَ (113/). وَمِنْ أَهْلِ الْكِتَابِ مَنٌ إِنْ  
تَأَمَّنْهُ بِقِنْطَارٍ يُؤَدِّهِ إِلَيْكَ وَمِنْهُمْ مَّنٌ إِنْ تَأَمَّنْهُ بِدِينَارٍ لَا يُؤَدِّهِ إِلَيْكَ إِلَّا مَا  
دُمَّتْ عَلَيْهِ قَائِمًا ۚ ذَلِكَ بِأَنَّهُمْ قَالُوا لَيْسَ عَلَيْنَا فِي الْأُمِّيِّينَ سَبِيلٌ  
وَيَقُولُونَ عَلَى اللَّهِ الْكَذِبَ وَهُمْ يَعْلَمُونَ (75/).

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: لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ  
 الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ (22/)  
 : لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ  
 مِّنْ دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ (8/).

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# المسلمون في أوروبا: الشراكة الحضارية مدخلا للاندماج

الدكتور عبد المجيد النجار



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يَأَيُّهَا النَّاسُ  
 إِنَّا خَلَقْنَكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ۚ إِنَّ أَكْرَمَكُمْ  
 عِنْدَ اللَّهِ أَتْقَىٰكُمْ ۚ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ (13/ )  
 وَكَذَٰلِكَ جَعَلْنَكُمْ أُمَّةً وَسَطًا لِتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ وَيَكُونَ الرَّسُولُ  
 عَلَيْكُمْ شَهِيدًا (143/ )

: وَإِذْ قَالَ رَبُّكَ لِلْمَلَكَةِ إِنِّي

جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً (30/ )

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# نحن في عالم مفتوح

الشيخ راشد الغنوشي



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لَنْ يَنَالَ اللَّهُ خُومَهَا  
وَلَا دِمَاقُهَا وَلَكِنَّ يَنَالُهُ التَّقْوَىٰ مِنْكُمْ كَذَٰلِكَ سَخَّرَهَا لَكُمْ لِتُكَبِّرُوا اللَّهَ عَلَىٰ  
مَا هَدَاكُمْ وَبَشِّرِ الْمُحْسِنِينَ ( 37/ )

وَقُلِ الْحَقُّ مِن  
رَبِّكُمْ ۖ فَمَن شَاءَ فَلْيُؤْمِن وَمَن شَاءَ فَلْيُكْفُرْ ( 29/ )

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وَإِنْ جَنَحُوا

لِلسَّلَامِ فَأَجْنَحْ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ ( 61/ )

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لَا إِكْرَاهَ فِي

الَّذِينَ ( 256/ )

وَأِنْ  
جَنَحُوا لِلسَّلَامِ فَأَجْنَحْ ( 61/ ) يَتَأَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ  
وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا ( 13/ )

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الَّذِينَ ضَلَّ

(104/).

سَعِيَّهُمْ فِي الْحَيَاةِ الدُّنْيَا وَهُمْ يَحْسَبُونَ أَنَّهُمْ يُحْسِنُونَ صُنْعًا )

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# مدرسة الغازي خسرو بك في سراييفو

تجربة تاريخية للاندماج

(بحث وتحليل بمناسبة مرور أربعمئة وسبعين عاما على تأسيسها)

الدكتور مصطفى تسيريتش





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: وَمَنْ يَبْتَغِ غَيْرَ الْإِسْلَامِ دِينًا فَلَنْ يُقْبَلَ مِنْهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَسِرِينَ (85/)

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<sup>4</sup>(Renaissance) (Humanism)

1492<sup>5</sup>

وَمَنْ أَظْلَمُ مِمَّنْ افْتَرَى عَلَى اللَّهِ الْكَذِبَ وَهُوَ يُدْعَى إِلَى  
الْإِسْلَامِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الظَّالِمِينَ ﴿٥٠﴾ يُرِيدُونَ لِيُطْفِئُوا نُورَ اللَّهِ بِأَفْوَاهِهِمْ

1 Cf., C. E. Bosworth, *The Islamic Dynasties*, Edinburgh, the University Press, 1967, pp. 14-41.

2 Cf., Mehmed Handžić, „Islamizacija Bosne i Hercegovine” [Islamization of Bosnia Herzegovina] in *Izabrana djela II - Teme iz opće i kulturne historije*, Ogledalo, Sarajevo, 1999, pp. 7- 46; Muhamed Hadžijahić, *Porijeklo bosanskih Muslimana (The Origin of Bosnian Muslims)*, Bosna, Sarajevo, 1990.

3 Maria Rosa Menocal, *The Ornament of the World – How Muslims, Jews, and Christians Created a Culture of Tolerance in Medieval Spain*, Little, Brown & Company, New York, 2002.

4 Averroës and the Enlightenment, ed. Mourad Wahba & Mona Abousenna, Prometheus Books, New York, 1996.

5 Washington Irving, *A Chronicle of the Conquest of Granada*, 2 vols., Darf Publishers, London, 1986.

وَاللَّهُ مِنْ نُورِهِ وَلَوْ كَرِهَ الْكَافِرُونَ (8-7/ )

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	<p><i>This is the copy of the authentic Waqfiyyah-endowment transmitted from the original manuscript and edited by the one who is in the most desperate need of God's forgiveness Muhammad Rafiq bin 'Ali bin al-Hajj 'Abdullah the inspector of the Waqf - endowment affairs, may Allah have mercy on all of them.</i></p>
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<p><b>1.</b> Praise be to Allah Who bestowed the reaches of the earth with schools of the most desirable and luminous sciences, Who illuminated the heavens with the brightest and most sublime lights, Who taught Adam names in the school of both worlds, Who sent the clear book from the Heaven, Who designated the Heaven's palaces for those who are of the good and beautiful deeds. It is (Allah) Who promised the gardens of Heaven to those who spend their fortunes in the way of righteousness and piety, He Who made it possible for those of His servants who wish to acquire goods that will prepare them for life in the hereafter to do so, He Who made it easy for those who want to establish charities, promote good deeds and earn the name of righteousness to do so, He Who doubles the reward for their good deeds which come out of their own will and pure love of the fact that (their good deeds) ...are like a grain of corn: it grows seven ears, and each ear has a hundred grains....</p> <p><b>2.</b> May blessings and peace be upon</p>	<p><b>.1</b></p> <p>كَمَثَلِ حَبَّةٍ أَنْبَتَتْ سَبْعَ سَنَابِلٍ فِي كُلِّ سُنْبُلَةٍ مِائَةُ حَبَّةٍ ( ) (261/).</p>
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<p>Muhammad, the guide of the people to the right path, who made the parallel of the scholars of his Ummah with the messengers of Bani Israil, may God bless his honorable and respectable family, his good and glorious companions as well as his followers of the <i>ulama</i>’ who are in dialogue with rational, noble and rightful men who are conducting the lessons of wisdom in order to uncover the secrets by discussing day and night all fields of knowledge in order to demonstrate the truth.</p>	.2
<p>3. Then, may it be said – indeed that this document is based and composed on the principles of the Shari’ah. It is a valuable record which contains authentic and meaningful words the content of which confirms and uncovers its secrets by showing the fact that Mawlana Muhyuddin, son of Qāsim, the Imam, has come before the honorable Shari’ah Court and the bright assembly as the <i>wakīl</i> – agent to declare the <i>waqf</i> - endowment and the acceptance thereof, as shall be described further below, on behalf of his royalty the magnificent ruler, the great and glorious Emīr, the model of the prominent and promising men, the one who has the noble and highly regarded attributes, who has high honor and the important position, the one who is in possession of his mind and reasoning, who is raising pillars of the glorious authority, the one who is putting the foundations for the powerful state, who is raising the</p>	: .3

banner of Islam by great power, who destroys the idols of infidelity with victorious force – the victorious of the victorious and the warrior of the warriors, the annihilator of the infidels and polytheists, the one who is the author of highly good deeds and the deeds that last long, his royalty Husrev-bey, son of the late Farhat-bey, the *wālī* – *governor* of the Province of Bosnia, may Allah beautify the gardens of his authority by the flowers of his right thoughts and make the people's affairs be sorted by his insightful opinions.

4. It was established by the witness of Shujā', son of Chalab Wardī and Mustafa, son of Hasan, that (the *wāqif* - *endower*) has decided and acknowledged thereof that the aforementioned *muwakkil* – *agent* of his is competent to represent him, the good ruler whose heart is full of faith, and that he has realized that the good deeds will benefit their owner on the day of presentation and justice, especially those of the teaching of *fiqh* and the *tafsīr* of the Qur'an, may the reward of his good deeds be increased in the way of the increase of one's righteousness.

5. Thereupon, he declared his *waqf* and made it the unalienable state while in his life and good health with his full conscience and ability to hold his possessions and to allow his donations for the sake of the Merciful Allah, seeking the satisfaction of the Compassionate Lord *on the Day*

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<p>whereon neither wealth nor sons will avail, but only he (will prosper) that brings to God a sound heart, and he took from what belongs to him and what is in his hands and under his control to the issuance of this <i>waqf</i> in the following way: - the whole house in the Cherkechi quarter of the quarters of the protected Sarajevo, which is made up of two houses, a basement, a horse stable, a garden, a shop, a warehouse and a butcher house, known as the property of Turna-dede, bordering the Muslim cemetery, public road and the property of Duke Kemal; - another house in that area, known as the property of Mahmud, son of Chalish-hojja, bordering with the shops of Mahmud Sagraqī and the <i>waqf</i> of the late Isabey in the <i>sūq</i>, which is made up of a basement, a house, nine shops back-to-back with each other, and two other shops in the <i>sūq</i> of Efrangī, which is one of the <i>suqs</i> of the aforementioned protected (city), the limitation and description of which are not necessary, as it is known among the population of this place; - two houses next to the two aforementioned shops; - two other houses that the aforementioned <i>waqif</i> built again next to the aforementioned two houses; - another house, also in the aforementioned protected (city) located across these two houses, bought from a Christian woman called Duya, daughter of Chavkosha, consisting of a house and basement. Description and limitation are not</p>	<p>‘</p> <p>— :</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p>
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necessary, as it is known by ordinary people as well as the nobility; - the complete amount of 700.000 silver dirham that are in current use and are his own property. (All of this) he donated from his personal property together with the remainder of his property the limits of which were determined, and that which belongs to the concerned *waqfs* with all the legal rights and that which goes with it, with taxes and declarations, whether it was mentioned or not, recorded or not, should be made *waqf* according to the Sharī'ah *waqf* law as well as the original testament.

6. Then he conditioned that the aforementioned houses and properties be rented according to the Sharī'ah rules and customary regulations. Also, out of the aforementioned amount a descent madrasa shall be built for the amount of 400.000 dirham, the building of which shall be great and its reputation shall be respectable among the honorable and noble men. It shall be built at the location facing the door of the glorious Mosque which was built and erected by this *wāqif* and the *wālī* and needs neither to be defined nor explained as it is known as the property of this *waqif*. The madrasah shall consist of 12 rooms where only the hardworking students shall reside. There shall be no place for corrupt and ignorant students. (The building of the madrasa) shall be great, and the curriculum of it shall be permanent and similar to the madrasas of the

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viziers and princes, May Allah reward them for their contributions that benefit all who serve others and are virtuous.

**7.** Then, from the remainder of the expenditure for the madrasa building, books shall be bought and shall be used in the madrasah. These books shall be at the disposal of those who wish to read them and to those who would like to copy them among those who wish to obtain knowledge.

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**8.** The remaining of the aforementioned amount of 300.000 dirham, shall be invested in such a way that there be a strong reason and an insured endorsement for the income of one dirham per 10 dirham each year. This matter shall be executed in accordance to the Shari'ah rules and in such a satisfying manner that the usury is not involved and that (this property) does not suffer loss. Let there be business relations with merchants, craftsmen, farmers, and people of different guilds who are recognized as rich, wealthy, influential as well as reliable, virtuous and honest. Their reputation should be known to the common people by their good deeds, not by their lies, cheating and delaying (in payment). Let there be no business relationship with princes, rulers, teachers, judges, old military horsemen or other army officers as well as with estate owners, evil and vicious people who are in debt, who are Sultan's servants, and those who are likely to cheat or who are greedy,

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whatever class they may be.

**9.** In regard to the income from the above-mentioned *waqfs* and the aforementioned funds, the *wāqif* – may the Merciful God bless him with His mercy – has ordained the law that should be abided and the rules that should be relied on so that no one shall have the chance to break the law or change it, and no one shall have the way to corrupt the law or replace it as long as the revenues cover the costs and the income is sufficient for the expenditure.

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**10.** Thereupon he (the *wāqif*) declared that there shall be the *mutawallī* - *manager* of this *waqf* after him who shall be a reliable, intelligent and stable person. Also, he shall be diligent in collecting the revenues based on the clear rules and he shall spend according to the amount of the income. The *mutawallī* shall be the trustworthy person that shall avoid negligence and shall not engage in treason.

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**11.** The *nāzir-jābī* (the monitor-collector) of the revenues shall be the person of good insight and of the best qualities who shall know everything about the *waqf* affairs. He shall not neglect a single issue regarding the interest and the state of the *waqf*. The *mutawallī* shall not do anything without the knowledge of the monitor and he shall not carry out any business which is in the interest of the *waqf* without the monitor's opinion and consultation.

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**12.** In the madrasa, which the *waqif* wants to build, establish, erect and devote to those who shall obtain knowledge and improve morality from among the students and common people, and to those who shall be occupied with rational and traditional knowledge, there shall be the one of them, who shall be knowledgeable, virtuous, excellent and competent, who shall uncover the secrets of realities by verbal and written words, who shall combine particular and universal as well as comprehend rational and traditional knowledge. He shall teach Qur'anic exegesis, Islamic tradition, the basics of Shari'ah law, the theory of law, Arabic stylistics, speculative theology as well as all other things that the custom (or time) and the place require. He shall not miss any lecture except for the reason that is justifiable by the Shari'ah, and the students shall not miss the lectures either except by permission. Both the time of vacation and the time of lecturing shall be as it is accustomed and thus there is no need to explain that in details. He shall issue *fatwa*-answers to people who shall ask *fatwa*-questions in accordance to the strongest madhhab-schools of law and opinions, using in each and every case the books of *fatwas*. Also, it is ordained that his monitoring of the *waqft* shall be for ever and his care of it shall be at all times and in all circumstances.

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**13.** The *mu'itd* (repetitor) shall

<p>conduct his drill sessions as it is ordained by law and custom. The <i>bawwāb</i> (doorkeeper) shall conduct the cleaning and guarding of the inventory of the madrasa, and shall open and close the door. Now, it was established: - the <i>mutawallī</i> shall receive (his salary) from other mentioned <i>waqfs</i>, as it has been already established; - the <i>nāzir-jābi</i> (the monitor-collector) shall receive from other <i>waqfs</i> as well; - the <i>mudarris</i> shall receive 50 dirham from the mentioned <i>waqfs</i> every day; - each <i>mu'īd</i> shall receive 4 dirham; - each pupil shall receive two dirham per day; - the <i>bawwāb</i> shall also receive two dirham per day. The remaining funds, whether large or small, are designated to be added to the mentioned budget should it be decreased by any unpredictable event, and the rest of it shall be used for food in the <i>'imaret - hostel</i> of the above-mentioned <i>wā qif</i> – May Allah, the Grateful Lord, accept his good deeds – as well as for the repair of all of his <i>waqfs</i>. (This amount) should be guarded, together with the additional funds of the other <i>waqfs</i>, by the <i>mutawallī</i> with the knowledge of both aforementioned monitor and collector and it should be spent for the above-mentioned purposes when it is deemed necessary.</p> <p>14. It is ordained that all those who reside in the madrasah - the <i>mu'īd</i>, pupils and the <i>bawwāb</i> – are to receive a ladle of soup with a piece of meat from the food prepared in the kitchen</p>	<p>.</p> <p>.13</p> <p>— :</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>.</p>
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<p>of the <i>'imārat – hostel</i>, in the morning and evening, with four fudola (a kind of bread) each. They have the right to receive food that is usually cooked on the eve of Friday and on the occasion of Bayram Holidays.</p>	.14
<p>15. The management of the concerned <i>waqf</i>, its administration and its monitoring as well as the realization of all what is required and necessary for its safety, are firstly in the hands of the <i>wāqif</i> himself as long as his precious soul is with him and his intimate friend. Then, the most just, the most eligible and the most high of his personal and reliable servants Duke Murat, son of Abdullah, shall take the charge of the <i>waqf</i>, then, after him, it shall be taken by the best of his servants who are freed from slavery, then by the best of his sons and grandsons and so forth from generation to generation the best of the best; then the sons of their daughters, then the sons of their sons from generation to generation, and centuries after centuries as long as they have progeny and as long as they come one after another. When the best of them becomes the <i>mutevellī</i>, may the next in line according to his capacity, become the <i>nazir – monitor</i> and <i>jabī- collector</i>. When their lineage dies out and their life (journey) ends, he who becomes the <i>qādī – judge</i> in the <i>qadiluk – jurisdiction</i> of the concerned area shall appoint a trustworthy and faithful as well as pious, just and incorruptible man, though, as you may see, there are</p>	.15

few such people, to be the *mutawallī*.

16. It is the *mutawallī*'s duty to provide all the rights to those who are entitled to have them. Also, those who deserve something of the *waqf* shall be given what they deserve without omission or decrease, even if it is a piece of a fig as long as the income may cover expenditures and as long as the capital is sufficient for expenses. Should it be in due time for the reason of time events or intrigues that the income and the capital suffer a decrease, all expenses shall be reduced. The *mutawallī* is also obliged at the beginning of every three years to submit to the *qādī* – judge his financial report. The *qādī* - judge ought to review the *mutawalli*'s report in all details and to inspect as to where it was spent small and where big money as well as to the fact of the surplus and deficit, increase and decrease, benefit and harm of the *waqf*. Then, he ought to review all debtors whether they are honest or dishonest, rich or poor, weak or strong. Furthermore, the *qadi* ought to review the *mutawalli*'s work to find out as to whether he abided by the written stipulations and whether he executed the assumed obligatory duties. If it appears that the *mutawalli* was reliable and honest and that he worked diligently as to get satisfactory grade, he shall be appraised and his innocence shall be declared. But if it appears that he failed his duties, neglected his obligations and if it becomes clear that he was short of

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applying the rules, he shall be ousted from his post and the other person shall be posted instead of him. Then, the Sharī'ah law experts shall make sure that the *waqf* property remain intact, whether the capital or the commission, in the manner of applying the Sharī'ah rules which shall prevent farther decrease, or the negligence of applying the *waqf* stipulations. This procedure shall be upheld for all times, as long as the moon and the sun orbit and as long as there is the exchange of day and night.

17. Then, (Mawlāna Muhyuddin) stated that the good aforementioned *wāqif*, may his sins be forgiven, delegated his servant, whom he gave freedom, the aforementioned Duke Murat and posted him in his stead to be in charge of all the affairs of management and of general benefits of the *waqf* as he saw in him the sign of honesty, maturity and stability and, thus, he asked him not to decline this post as long as he wears the clothes-life and as long as the guardian of death does not knock on his door. This is to be considered as the legally accepted authorization from the *wāqif* himself both privately and publicly. Also, it is to be noticed that his authorizer, the aforementioned *wāqif*-endower, appointed Mawlāna 'Abd al-Salām, the son of the *Faqīh* (Sharī'ah lawyer) ibn 'Isā, as the *mutawellī* for registration.

18. Thereupon, the aforementioned *wakīl* – agent wanted to return this

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<p><i>waqf</i> from his (the <i>mutawallī's</i>) hands, claiming that (the act of <i>waqf</i>) does not assume liability. But, the <i>mutawallī</i> opposed to that claim and thus the case was brought before the avowed judge whose inclination was in favor of the <i>waqf</i> and thus he came with the verdict that the act of endowment of the aforementioned things is both valid and obligatory.</p>	.18
<p>19. Thereupon, he (the <i>wāqif</i>) submitted all the <i>waqf</i> real-estate as well as the <i>waqf</i> funds. He asserted that personally so that this became the registered <i>waqf</i> after all the procedures for the registration had been applied such as the procedure of offer and acceptance, then the procedure of the revocation of the <i>waqf</i> to the previous state of ownership and the opposition of the <i>mutawallī</i> to such claim and his instituting legal action against this <i>wakīl – agent</i> before this avowed judge, who hopes to have gotten his Lord's satisfaction, who declared that this <i>waqf</i> is valid and that its liability is established to the opinions of the authorities of the Sharī'ah law who are independent in the interpretation of the Islamic sources – may Allah be satisfied with them – being aware of their differences about the issue of the <i>waqf</i> liability as well.</p>	.19
<p>20. Now, therefore be it declared that from now on it is not allowed any change of this <i>waqf</i>, its transformation, its diversion, and its cancellation by any means or circumstances which would be contrary to this document. It</p>	.20

is not allowed to anyone, who believes in Allah, His Messenger and in the Day of Judgment, be it the treasonous *mutawallī*, the tyrant sultan, the irresponsible *wālī* – *governor*, or the corruptible *qādī* – *judge* to compete with this *waqf* so that to destroy it, diminish it or cancel its application by changing its rules and regulations. Thus if anyone should commit such things or if anyone breaks any of its stipulations or if anyone should change any of its rules by a false interpretation or wrong advise, he would commit the sin and provoke evil deed, but how would a faithful or a pious man have the audacity to do so before Almighty God if he had heard His words: - *And to the unjust God has prepared a painful punishment.* - *May God's curse be on the unjust.* And the saying of the Prophet Muhammad, peace be upon him: - *If a man takes a foot of ground from his fellow Muslim unjustly, God will surround him with seven ground walls in the fire of Hell. Indeed – whoever opposes to the Book of God and to the Right Way of His Messenger and whoever permits of what God and His Messenger have forbidden, and whoever is eager to corrupt the work of his fellow Muslim, He will draw on himself the wrath of God, and his abodes is Hell, an evil refuge (indeed), the reward on him is the curse of God, of His angels, and of all mankind. Every one will come before God for accountability and God will punish by different kinds of punishments on he*

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*Day when no profit will it be to wrongdoers to present their excuses, but they will (only) have the curse and the home of misery; on the Day when every soul will be confronted with all the good it has done, and all the evil it has done, it will wish there were a great distance between it and its evil; on that Day every soul will be requited for what it earned; no injustice will there be that Day, for God is Swift in taking account. The Almighty God, the Giver of rewards, will reward the wāqif – endower for his intentions and hopes because He neither discredits the reward of the righteous, nor disregards the hope of the faithful.*

\*This happened and was registered on the Twenty Sixth of Rajab of the Year of *Hijra* of Nine Hundred Forty Three (943), corresponding to the Eighth of January of the Year of *Milād* of One Thousand Five Hundred Thirty Seven(1537).

#### The Witnesses of the Case

Mawlāna Uthman son of Mahamūd the Imām; Mawlāna ‘Abd al-Rahmān son of Muhammad al-Mudarris in the Gazi Husrev-bey Madrasa; Mawlāna ‘Umar son of Mahmūd the Imām; Muhammad son of Ibrahīm the Imām; Mawlāna Muhammad the Khatīb of the Yahya Mosque; Mawlāna Muhyuddin the Khatīb of the Wāqif’s Mosque; Mawlāna Shams al-Dīn the teacher of the Wāqif’s Maktab; , Mawlāna ‘Alī son of Nasūh the Hāfiz, Mawlāna Ibrahīm son of ... the Imām.



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# اندماج المسلمين وآثاره في أمريكا الشمالية

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يَتَأَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ  
 لِتَعَارَفُوا ( ) (13/ ) وَمِنْ آيَاتِهِ خَلْقُ السَّمَوَاتِ وَالْأَرْضِ وَاخْتِلَافُ  
 أَلْسِنَتِكُمْ وَالْوَنَائِكُمْ ( ) (22/).

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فَقَالَ لِصَاحِبِهِ وَهُوَ يُحَاوِرُهُ (34/ )  
: وَجَدَلُهُمْ بِآلَتِي هِيَ أَحْسَنُ

(125/ ) .

وَلَا تُجَادِلُوا :  
أَهْلَ الْكِتَابِ إِلَّا بِآلَتِي هِيَ أَحْسَنُ إِلَّا الَّذِينَ ظَلَمُوا مِنْهُمْ وَقُولُوا ءَامَنَّا  
بِالَّذِي أُنْزِلَ إِلَيْنَا وَأُنْزِلَ إِلَيْكُمْ وَإِلَهُنَا وَإِلَهُكُمْ وَاحِدٌ وَنَحْنُ لَهُ مُسْلِمُونَ  
(46/ ) .

مُصَدِّقًا لِّمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيِّمًا عَلَيْهِ :

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وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً :

لِّلْعَالَمِينَ ( 107/ ) .

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# دور المؤسسات الإسلامية في أوروبا في عملية الاندماج

الأستاذ شكيب بن مخلوف

رئيس اتحاد المنظمات الإسلامية في أوروبا



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conflits et des différences, loin de l'extrémisme et du fanatisme qui défigurent l'Islam et portent préjudice aux musulmans en général et surtout aux minorités. Ces réactions négatives utilisées par les ennemis de L'Islam et les ignares pour diffuser un discours alarmiste sur notre religion qui justifie les agressions faites à l'encontre des musulmans. Dieu dit « Appelle à la voie de Seigneur en usant de la sagesse et de la bonne exhortation et discute avec eux de la meilleure des façons... » Sourate 16/125

A la fin de cette session, le conseil exprime ses plus vifs remerciements pour le Cheikhat Islamique de la Bosnie Herzégovine pour avoir accueilli notre rencontre. Il remercie aussi tous les frères bosniens qui ont contribué à la réussite de nos travaux en particuliers les responsables du centre islamique du Roi Fahd de Sarajevo qui s'apprête à fêter son dixième anniversaire. Le Conseil exprime aussi sa gratitude au gouvernement bosnien qui a rendu la tenue de la session possible sur son sol en facilitant l'entrée à tous les membres du conseil.

Nos remerciements vont aussi à la direction de l'institut Al-Maktoum de charité qui soutient financièrement et moralement le travail du conseil.

Enfin, nos remerciements vont au secrétariat du conseil et à tous ceux et celles qui ont contribué à la réussite de cette session, ainsi qu'aux média qui ont couvert cet évènement.

Louange à Dieu et paix et salutations sur son Messenger ainsi que sur ses compagnons.

droits garantis par les constitutions, les conventions et accords internationaux, à l'instar des autres minorités.

**12.** le conseil confirme la nécessité de participer à la vie politique suivant ses décisions précédentes.

**Deuxièmement : recommandations aux décideurs et aux institutions de la société civile :**

**1.** faire le nécessaire pour combattre toutes formes de ségrégations contre les musulmans, qu'ils subissent dans leurs rapports avec certains milieux européens

**2.** ouvrir des canaux de communication avec les minorités musulmanes à des niveaux divers

**3.** élaborer des programmes et des séminaires pour familiariser les musulmans avec les lois du pays et leurs droits et devoirs de citoyens.

**4.** offrir l'égalité des chances aux musulmans dans l'éducation et le travail, comme les autres citoyens.

**5.** interpellier les média écrits, et audiovisuels sur la façon partielle avec laquelle ils traitent des questions concernant l'Islam et les musulmans.

Le conseil recommande aux musulmans en Europe le respect des lois en général et leur enjoint d'être des modèles du bon comportement citoyen. En religion, il leur recommande de respecter les textes fondamentaux de l'Islam et les avis sur lesquels les savants de l'Islam font consensus : honorer le contrat de résidence, le contrat de citoyenneté, respecter l'ordre public et les lois du pays dans lequel ils vivent.

Il leur enjoint d'éviter la violence dans toutes ses manifestations et d'adopter la douceur, la bienveillance et la sagesse dans leur rapport avec les autres. Tels sont les enseignements de l'Islam. Il leur recommande vivement de s'éloigner et se désolidariser de ceux qui s'éloignent de ce chemin droit et commettent des actes nuisibles à l'Islam.

A tous les musulmans en Europe, nous disons rattachez-vous à la corde de Dieu tressée par les valeurs de la fraternité, la tolérance, la modération, l'entraide pour le bien et la crainte révérencieuse de Dieu. Nous les appelons à user du dialogue calme et serein et des moyens pacifiques pour traiter des

### **III : Recommandations**

#### **Premièrement : recommandations aux musulmans en Europe :**

- 1.** respecter les lois relatives aux droits et devoirs des citoyens.
- 2.** respecter les lois et les réglementations promulguées par les autorités officielles
- 3.** œuvrer pour l'amélioration de l'image de l'Islam et des musulmans en étant exemplaire dans le respect des valeurs islamiques et en élaborant des programmes qui présentent bien l'Islam et sa civilisation.
- 4.** dépasser les traditions et les coutumes héritées du passé qui nuisent à l'Islam.
- 5.** organiser des séminaires de formation et des programmes favorisant l'intégration positive et productive.
- 6.** former et habilitier les prédicateurs et les cadres musulmans afin qu'ils soient des exemples à suivre aux autres pour s'intégrer dans la société européenne de façon active et positive. Il faut préparer une élite à maîtriser le langage du dialogue avec l'occident pour bien présenter l'Islam.
- 7.** créer des centres islamiques regroupant des services complémentaires : mosquées, bibliothèque, club culturel, social et sportif, restaurant ...Il faut promouvoir des activités diverses culturelles, sociales et sportives en mettant l'accent sur celles qui favorisent l'intégration : scoutisme, semaines et journées portes ouvertes...
- 8.** participation positive et efficace dans les institutions de la société civile, dans les projets écologiques, sociaux, projets de quartiers et de cité, projets étatiques...
- 9.** construire une activité institutionnelle et s'éloigner des positions sectaires sur des bases ethniques, doctrinales, communautaires et partisans.
- 10.** constituer des commissions juridiques pour défendre les droits des minorités et combattre le racisme
- 11.** faire le nécessaire pour obtenir une reconnaissance officielle de l'Islam comme religion et des musulmans comme minorité, afin de leur accorder les

*Fatwa 10/17*  
*Travailler dans une piscine mixte*

**Question :** je travaille comme maître-nageur sauveteur dans les piscines. Je dois surveiller les baigneurs dont les femmes qui portent bien sûr des maillots de bains ; mon travail est-il licite ?

**Réponse :** il est permis de travailler comme maître nageur en charge d'une piscine mixte, à condition de respecter les règles de comportement islamique, notamment ne pas regarder les parties intimes des nageurs, ne pas se trouver dans des lieux clos et seul avec une femme étrangère. D'après votre question, ces règles peuvent être transgressées par vous car vous ne pouvez vous empêcher de regarder les femmes presque nues, ce qui est illicite. Il n'est permis que dans des circonstances particulières qui ne peuvent être évitées. Nous vous recommandons de chercher un autre métier, en attendant continuez votre travail et faites attention.

*Fatwa 11/17*  
*Administrer un médicament anesthésiant*  
*à une personne en grande souffrance*

**Question :** je travaille comme infirmière auprès des personnes atteintes de cancer de la gorge. Il arrive souvent que des malades aient les artères rompues, ce qui provoque des hémorragies effrayantes. L'infirmière de service assiste à l'agonie du malade qui souffre de façon atroce. En l'absence du médecin qui peut intervenir pour faire cesser l'hémorragie, il faut administrer un médicament fort pour soulager la douleur du malade. On a recours à des piqures qui plongent le malade dans l'inconscience afin de diminuer sa douleur. Est-il permis à l'infirmière de faire cela, sachant que la piqure risque de provoquer la mort du malade autant que l'hémorragie ?

**Réponse :** rien n'interdit d'endormir le malade en grande souffrance pour soulager sa douleur, à condition de ne pas utiliser des doses excessives de médicaments anesthésiants pour ne pas provoquer la mort, car cet acte serait de l'euthanasie active, qui est interdite par la religion et il existe des décisions du conseil à ce propos.

*Fatwa 8/17*

*Que faire d'un cadeau qui contient du vin ?*

**Question :** si je reçois un cadeau qui contient du vin, puis-je le donner à un ami chrétien ?

**Réponse :** tout d'abord un musulman ne peut pas accepter un cadeau contenant quelque chose interdite par sa religion comme le vin. Il n'a pas non plus ni le droit de le posséder ni le droit de l'utiliser ni d'en disposer, en le vendant ou en l'offrant. Il doit le détruire, en cas du vin, le renverser. Notre référence est le hadith rapporté par Ibn Abbas « un homme a offert au prophète une amphore de vin. Le prophète (PSDL) lui « ne sais-tu pas que Dieu l'a interdit ? ». L'homme répondit : « non » puis se tourna vers un homme assis à côté de lui et lui chuchota quelque chose. Le prophète (PSDL) demanda à l'homme « que lui avez-vous chuchoté ? » ce dernier répondit « je lui ai demandé de vendre ce vin ». Le prophète lui dit « Celui qui a interdit de le boire a également interdit de le vendre ». À ce moment-là, l'homme ouvrit son amphore et renversa le contenu dans le sable jusqu'à la dernière goutte » (rapporté par Mouslim)

Ce texte prouve que le prophète a interdit toutes les façons de tirer profit du vin.

*Fatwa 9/17*

*Zakat sur la caution*

**Question :** le système de location des biens immobiliers en Europe requiert du locataire de payer une somme d'argent comme caution ou garantie au propriétaire. A la fin du contrat, cette garantie est rendue au locataire. Si cette somme atteint le quorum et si un an passe depuis son dépôt, doit-on en payer la zakat ?

**Réponse :** la caution d'un bien loué, déposée chez le propriétaire, afin de garantir le bon usage de ce bien et sa remise en bon état, appartient certes au locataire. Mais elle est assimilable à une dette dont le remboursement est incertain, car le locataire ne peut en disposer et risque de ne plus l'avoir, entièrement ou partiellement. Sur ce, il n'est pas tenu à en payer la zakat avant de l'avoir ré-encaisser, là il paie cette zakat seulement pour une seule année.

leur personnalité. Ce qui est interdit par la religion c'est d'utiliser les images et les statues comme objet de vénération ou de culte, car là le mal produit dépasse le bien tiré.

*Fatwa 7/17*

*Se marier en ayant l'intention de divorcer*

**Question :** ces derniers temps, un nouveau type de mariage est en vogue au Royaume Uni : des hommes musulmans contractent des mariages non durables avec plusieurs femmes dans un temps très courts, car ils se marient avec l'intention de divorcer. Certains de ces mariages ne durent qu'une semaine ou deux. Pire encore, les uns disent parfois à leurs amis : « je me marierai bien avec cette femme dès que tu la divorce, je me la réserve avant que les autres ne le font ». De cette façon, ces hommes musulmans se marient avec des femmes « chrétiennes » originaires d'Europe de l'est, et désireuses de s'installer en Angleterre. Ils les font venir, se marient avec elles pendant une semaine ou deux, la répudient et prennent une autre... ?

**Réponse :** le contrat de mariage est défini en Islam comme « un pacte solide ». Il doit être conclu avec l'intention de continuité et de durabilité, sauf imprévu ou conflit qui rend la vie maritale impossible.

Le mariage que vous décrivez dans votre question est donc « illicite » et interdit, car contredisant le principe islamique et parce qu'il est semblable au mariage dit de « plaisir » ou « provisoire », qui est proscrit par la religion. Ce qui confirme l'illicéité de ce type de mariage c'est des hommes se mettent d'accord pour se relayer comme maris successifs pour une seule femme, et ce dans le but d'avoir le plaisir. Si en plus ces mariages sont facilités par des intermédiaires, ils deviennent davantage interdits car ce n'est rien d'autre que la traite des femmes. C'est donc une atteinte à la dignité humaine et une exploitation des gens en besoin.

De plus, ce type de mariage est conclu en dehors des cercles officiels et des centres religieux reconnus qui contrôlent et certifient le respect des lois civiles et religieuses relatives au mariage. Le Conseil de la fatwa a déjà publié des fatwas concernant la nécessité de consigner les mariages par écrits auprès des mairies et des centres islamiques habilités à faire des contrats de mariage, et ce dans le but de préserver les droits de toutes les parties impliquées, époux, épouse et enfants.



Couvrir les cheveux blancs pour les jeunes hommes et les adultes en utilisant les couleurs initiales est permis, un nombre considérable de jurisconsultes l'acceptent.

*Fatwa 5/17*

*Peut-on saluer les non musulmans en utilisant le mot « paix »*

**Question :** est-ce qu'il est permis aux musulmans de saluer les non musulmans en disant « Assalamou Aleikoum » comme le font avec les musulmans ?

**Réponse :** gratifier une assemblée composée de musulmans et non musulmans par « Assalamou Aleikoum... » Est permis et confirmé par un texte définitif, le hadith rapporté par Usama ibn Zayd, rapporté par les deux recueils de hadiths authentiques « le prophète (PBDL) a passé par une assemblée composée de musulmans, polythéistes et juifs, il les a salués en disant « Assalamou Aleikoum... »

Nous disons qu'il est permis de saluer les non musulmans quels qu'ils soient par les termes de la paix ou par une autre formule de salutation reconnue, tant qu'elle ne contient pas de sens opposé au monothéisme ou à ce qui est licite. Certains érudits musulmans comme Ibn Abbas, Ibn Massoud, Abou Umama (comme compagnons), Amer Chobî, Omar ibn Abdelaziz, Al-Aouzaï, Sofiane Ibn Ouyayna, (parmi leurs successeurs) ainsi que des contemporains comme Rachid Ridha sont de cet avis ...pour nous c'est le bon avis.

*Fatwa 6/17*

*Que dire de dessiner des êtres vivants dans le but d'enseigner ?*

**Question :** les dessins sont très importants dans l'apprentissage des petits. Mais certains savants religieux interdisent de dessiner les êtres vivants et les êtres humains. Si on suit ces avis on interdirait à l'enfant de faire ses exercices scolaires. Que faire ?

**Réponse :** utiliser les dessins à des fins pédagogiques est permis. La loi musulmane permet même l'utilisation des poupées en forme d'êtres vivants comme jouets. Permettre l'utilisation des images pour enseigner des sciences appliquées est plus nécessaire qu'utiliser les poupées pour jouer, surtout que le dessin aide à développer les capacités des enfants et épanouir

génitales. En tenant compte de ces deux avis, nous vous confirmons que les soins prodigués à votre épouse par l'infirmière au niveau du ventre sont permis par la religion, tant que les parties génitales resteront couvertes. Il n'est pas interdit que ces soins soient faits par une infirmière non musulmane, car l'avis le plus répandu soutient que l'intimité de femme musulmane devant la femme non musulmane est définie selon les mêmes critères que devant la femme musulmane.

*Fatwa 3/17*

*Chat entre fille et garçon par le biais d'Internet*

**Question :** que dire du chat (conversation) entre filles et garçons en vue de se marier ?

**Réponse :** chatter entre une fille et un garçon par le biais d'internet est similaire à se parler à travers un rideau. Ceci est permis s'il est motivé par une cause légitime et s'il se passe dans le respect des règles de comportement islamique. Ces règles concernent le sujet de la conversation qui doit être licite et la façon d'en parler qui doit être pudique. Si la fille est filmée par une caméra, elle doit être habillée décentement selon les normes islamiques. La conversation doit durer le temps nécessaire pour se mettre d'accord sur le mariage et ne doit pas durer indéfiniment, juste pour s'amuser. Cela pourrait conduire à faire le haram.

*Fatwa 4/17*

*Que dire des hommes qui teignent les cheveux ?*

**Question :** est-ce que les hommes peuvent se teindre les cheveux ?

**Réponse :** si la teinture consiste à rendre aux cheveux blancs leur couleur noire initiale, elle est abhorrée pour les vieux messieurs. Notre référence est l'histoire rapportée par Jabir Bin Abdallah, que Dieu l'agrée. Il rapporte qu'au jour de l'entrée à la Mecque, on ramena devant le prophète Abou Qohafa qui avait les cheveux et la barbe aussi blancs que la laine. Le Prophète (PSDL) lui a dit « change-moi cette blancheur ! Mais évitez la couleur noire ! »

Ainsi, les jurisconsultes malikites et hanbalites prohibent l'usage de la teinture noire, mais certains jurisconsultes parmi les compagnons, leurs successeurs et les hanafites la permettent.

En deuxième, cette préservation a besoin de connaissance de la religion. Si vous avez déjà trois membres de votre communauté qui ont ce savoir religieux, soyez exigeants et rappelez-leur leur devoir. Aidez-les à résoudre leurs problèmes éventuels qui peuvent les empêcher d'accomplir leur devoir envers la communauté.

Vous êtes aussi appelés à chercher un musulman possédant le savoir religieux pour être l'imam de votre lieu de culte, ainsi il vous guidera dans l'apprentissage de votre religion, sachant que pour faciliter sa tâche, il faut assumer les charges de son installation avec sa famille et faciliter l'obtention de son permis de séjour.

Au cas où vous êtes incapables d'assurer cela, adressez-vous à une institution ou une organisation islamique officielle qui est chargée de recrutement d'imams pour les musulmans en Occidents, pour avoir leur aide. Si cela s'avère impossible, adressez-vous au centre islamique le plus proche de vous ou à un savant musulman qui a une bonne connaissance de la réalité de la vie en occident pour qu'il soit votre référent. Ainsi, vous garantirez la réception d'avis et de fatwas compatibles avec votre réalité.

#### *Fatwa 2/17*

#### *Découvrir les parties intimes de son corps pour se faire examiner et soigné par le personnel médical*

**Question :** après l'accouchement, le ventre de mon épouse est resté très enflé. La sage femme lui a assuré que ce gonflement disparaîtra après progressivement mais cela n'a pas eu lieu. En revenant consulter le médecin, elle a conseillé à mon épouse de se faire masser par une infirmière (probablement) à l'endroit du bas-ventre. Ma question est la suivante : est-ce qu'il est permis de découvrir ses parties intimes pour se faire soigner ?

**Réponse :** oui, il est permis de se faire soigner quitte à découvrir les parties intimes s'il est nécessaire de le faire. Le principe de base est d'éviter de découvrir les parties intimes du corps. Le fait que ventre reste enflé après la naissance, ce n'est pas normal, cela signifie que l'utérus n'a pas repris sa place et son volume normal. Il faut soigner cette pathologie. Rappelons par ailleurs que la majorité des savants religieux déterminent l'intimité de la femme en présence d'une autre femme par la partie du corps située entre le nombril et le genou. Certains savants la limitent davantage aux parties

ii) que la lune se couche après le soleil, même d'un laps de temps infiniment petit et cela signifie le début du nouveau mois. C'est la position de plusieurs savants reconnus qui est tout à fait compatible avec les phénomènes astronomiques connus.

iii) choisir la Mecque comme le lieu géographique de référence.

4. Les musulmans en Europe doivent suivre cette règle et l'appliquer dans la détermination des mois lunaires, notamment les mois de Ramadan et Chawal, et déterminer leur début et fin à l'avance. Une telle approche aidera les musulmans à accomplir leur culte et à organiser leurs fêtes religieuses en coordonnant cela avec la réalité vécue.

5. Le conseil recommande à ses membres et aux imams et aux savants religieux dans le monde musulman et ailleurs, d'œuvrer pour la propagation de la culture du respect des calculs scientifiques, surtout dans le cas où la vision du croissant s'avère impossible. Il appelle à ce qu'on arrête de croire ceux qui prétendent avoir quand-même vu le croissant (même par conditions climatiques non favorables)

6- Le conseil publiera prochainement un calendrier lunaire suivant les règles énoncées dans la présente décision.

## **Deuxièmement : Les Fatwas**

### *Fatwa 1/17*

*Les conditions requises pour construire une société musulmane en Occident*

**Question :** quelle est la bonne manière de préserver le groupe musulman ici dans notre village, dans un pays occidental. Sachant que nous comptons parmi nous 3 personnes qui sont des étudiants (ont le savoir) mais ne sont pas pratiquants. Le reste de la minorité musulmane dont je fais partie sont des personnes dépourvues de savoir ?

**Réponse :** en principe le musulman résidant dans un pays occidental se doit de préserver sa personnalité et son identité musulmane, quelque soit l'environnement où il évolue.

Quant à la préservation du groupe musulman, elle se fait tout d'abord grâce à une volonté solide qui est en général le résultat d'une foi bien ancrée chez les membres musulmans qui constituent ce groupe.

- Le conseil invite les sociétés européennes, notamment leurs institutions concernées par l'intégration des étrangers, à s'ouvrir aux musulmans et à établir des relations avec les organismes qui les représentent à l'instar du Conseil Européen de la Fatwa et de la Recherche. Une bonne communication entre eux permettrait de mieux étudier les conditions de l'intégration et de concevoir les moyens qui la facilitent. Ainsi, la stabilité et la prospérité de la société sont mieux garanties et les musulmans sont à l'aise pour développer leur identité musulmane et européenne à la fois.

### *Décision 3/17*

#### *Constitution d'une commission pour le suivi du dossier de l'intégration*

Le conseil décida de constituer une commission parmi ses membres pour assurer le suivi du dossier de l'intégration du côté des musulmans mais aussi du côté des parties officielles et les institutions de la société civile.

### *Décision 4/17*

#### *Confirmation du début des mois lunaires*

Le conseil a écouté certain nombre d'intervenants qui ont conduit des études en la matière, et a décidé après discussions de ce qui suit:

1. Le calcul astronomique est devenu l'une des sciences modernes hautement développées. Les mouvements des astres et des planètes, notamment la lune et la terre, sont observés et suivis avec beaucoup de précision. Leurs positions respectives l'une par rapport l'autre, à n'importe quel moment donné, sont déterminées avec une précision qui ne laisse aucune place au doute.
2. L'instant de l'alignement du soleil, de la terre et de la lune - quand le nouveau croissant naît - est un instant universel calculé avec haute précision par les astronomes, même avant des années de son avènement. Donc, on sait à l'avance la fin d'un mois et le début de l'autre, sachant que l'alignement peut avoir lieu à n'importe quel moment de la journée ou de la nuit.
3. Le début du mois est confirmé d'un point de vue religieux quand les conditions suivantes sont réunies :
  - i) l'alignement de la terre, du soleil et de la lune

A- La nécessité de maîtriser la langue de la société européenne dans laquelle on vit et de bien connaître ses lois et ses réglementations, et de les respecter, en réponse l'injonction coranique : « **Ô ! Vous qui croyez, honorez vos engagements** » Sourate 5/1

B- La participation à la vie sociale et la contribution au bien être général, répondant à l'injonction coranique « **œuvrez pour le bien afin d'être de ceux qui réussissent** » Sourate 22/77

C- Sortir de la passivité et l'oisiveté pour devenir un individu musulman actif et productif, pourvoyant à ses propres besoins et aux besoins des autres, en réponse à la noble recommandation prophétique « *La main qui donne est meilleure à celle qui reçoit et celui qui dépense pour les autres vaut mieux celui qui les mendie* »<sup>13</sup>

Ceci au niveau de l'individu, et voici les conditions requises du groupe ou de la société :

A- Œuvrer pour la justice, l'égalité entre tous les citoyens dans tous les droits et les devoirs, surtout le droit à la liberté religieuse et à la liberté d'expression, ainsi que la garantie des droits sociaux : notamment le droit au travail et à l'égalité des chances.

B- Combattre les différents aspects du racisme et limiter les facteurs incitant à l'islamophobie, surtout dans les médias.

C- Encourager les initiatives de rencontre et de connaissance réciproque des religions et des cultures entre musulmans et non musulmans, de manière à favoriser la cohésion de la société à laquelle ils appartiennent.

Pour réaliser l'intégration positive et équilibre :

- le conseil invite les musulmans à préserver leur identité musulmane sans pour autant se renfermer ou s'isoler des autres. L'ouverture ne signifie pas non la dissolution dans l'autre et l'assimilation absolue dans la société d'adoption. Il faut fonder des institutions spécialisées dans la propagation de la culture islamique, d'instruction et d'éducation sociale afin de faire la promotion de l'intégration positive.

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<sup>13</sup> Parole reconnue comme authentique par les grands rapporteurs, transmis par Abdallah Ibn Omar

Le conseil pense que citoyenneté ne contredit pas le principe religieux d'allégeance (ou de loyauté), le musulman citoyen d'un pays non musulman n'étant pas contraint d'adopter les effets de la citoyenneté en opposition à sa foi, par exemple défendre son pays s'il est agressé. Rappelons qu'en principe, les musulmans doivent être aux premiers rangs de ceux qui défendent leur pays s'il est face à un danger. Quant à participer à l'agression menée par son pays contre un autre, il est interdit au musulman d'y prendre part, que cet autre pays soit musulman ou non.

Parmi les devoirs des citoyens, le musulman doit vivre avec l'autre en paix et dans le respect, et en s'engageant à promouvoir les valeurs morales et l'entraide pour réaliser le bien et prodiguer le conseil à autrui, dans le cadre des lois, afin de réparer le mal qui peut atteindre les hommes ou les pays.

#### *Décision 2/17*

#### *Définir l'intégration et ses conditions*

Suite aux études présentées et aux débats qui les ont suivies, le conseil décida ce qui suit :

La politique de l'intégration suivie par les pays européens est de deux sortes :

Une première politique qui prône l'assimilation dans la société d'accueil, même si elle faite au prix du renoncement aux particularités religieuses et culturelles des communautés intégrées.

Une deuxième politique qui prône l'équilibre entre les exigences de l'intégration et les exigences de la préservation des particularités culturelles et religieuses.

Le conseil estime que cette deuxième politique exprime une volonté d'intégration positive. Il appelle à bien clarifier les exigences et les conditions de cette intégration : elles sont partagées et réciproques entre les musulmans comme individus et institutions d'une part et les sociétés européennes d'accueil, individus et institutions, d'autre part. Parmi les conditions d'intégration requises des musulmans et qui n'enduisent aucun embarras dans la pratique de la religion – au contraire l'Islam incite à ce que suit :

thème n'ont pas eu suffisamment d'éclaircissement tel que la dimension juridique et philosophique. Ce thème d'intégration reste donc un sujet de recherche pour aborder tous ces aspects.

Puis les travaux se sont succédés dans cette session pour aborder certaines consultations apportées par Conseil, et à propos desquelles, il a émis des fatwas.

Par ailleurs, le Conseil a consacré un paragraphe pour traiter du calendrier lunaire afin d'émettre une forme appropriée qui évitera aux musulmans d'Europe la peine (de la détermination des fêtes religieuses) et limiter donc la divergence qui se répète chaque année notamment au début des mois de Ramadan et de Chawal. Ceci a donc été abordé par le biais de recherche concernant ce sujet et qui sont les suivantes :

- 1- La détermination des débuts des mois lunaires entre la vision et le calcul, par Dr. Mohammed Al-hawari.
- 2- Trois questions concernant la lune, par Cheikh Abdallah Al Jadi'i.
- 3- La raison légale de l'obligation du jeûne du mois de ramadan : est-ce le début du mois ou la vision de la lune ? par Cheikh Fayçal Mawlawi.
- 4- Une vision scientifique et éducative concernant la vision de la lune naissante, par Dr. Salah Sultan.

Et suite à ce qui a été présenté et débattu, le Conseil publie ce qui suit :

## **Premièrement : les décisions**

### *Décision 1/17*

#### *La citoyenneté et ses exigences*

Suite à la présentation des recherches et aux débats relatifs à la question de la citoyenneté, et attendu que le Conseil avait déjà issu une décision (décision (3/16), il l'a confirmée en ajoutant ce qui suit :

L'avis le plus adéquat est celui qui consiste à valider la citoyenneté des musulmans dans les pays non musulmans, qu'elle soit originelle (pour les convertis et ceux nés sur le sol européen) ou acquise par naturalisation (pour les musulmans venant d'ailleurs). Les preuves avancées par ceux qui prohibent la citoyenneté sont ou bien authentiques mais n'induisent pas l'interdiction ou bien non authentiques (notamment des hadiths) et ne peuvent être reconnues comme base d'une argumentation jurisprudentielle.



Ces recherches ont également attiré l'attention sur l'obligation de donner de l'importance à la connaissance l'Islam, de ses fondements et ses valeurs aux occidentaux pour préparer leur acceptation de l'intégration des musulmans de façon positive. Cela en précisant que parmi les importants mécanismes d'intégration et ses origines : l'exemplarité de l'individu et du groupe musulmans afin qu'ils deviennent un modèle dans la société européenne.

En effet, parmi les voies d'intégration positive, accorder de l'importance au rôle de l'institution familiale parce qu'elle représente la première école où l'individu reçoit son identité islamique et apprend sa relation avec la société dans la quelle il vit de manière productive. La famille est également la première école de la citoyenneté correcte qui exige de respecter les lois de cette société et d'œuvrer pour son intérêt ; et ce tout en fournissant un effort afin d'habiliter la famille musulmane à accomplir son rôle efficace dans l'intégration positive.

Ensuite, viendront toutes les autres lieux d'éducation qui affectent également la formation de la personnalité musulmane telle que l'école islamique, le centre islamique, la mosquée, et le centre de loisirs. Ainsi, toutes ces institutions ont un rôle dans l'intégration positive dans la société européenne.

De surcroît, ces recherches ainsi que de nombreux débats, ont insisté sur l'importance des organisations islamiques en Europe pour l'intégration positive, en commençant par définir correctement l'intégration et initier le musulman à une culture « d'institution ». En effet, dans cette société d'institutions nous nous pouvons être intégrés positivement qu'à travers cette culture institutionnelle qui permet au musulman d'interagir avec la société européenne et de participer à la vie sociale.

Il est évident que les institutions ont un rôle important dans l'ouverture envers la société européenne pour faire ainsi connaître l'Islam et ses valeurs et constituer une passerelle entre l'Islam et les musulmans d'une et les sociétés européennes d'autre part. Une telle démarche est un atout favorisant l'intégration efficace.

De ce fait, les précédentes recherches présentées dans ce colloque et l'ensemble des débats et commentaires ont traité la plupart des aspects du thème d'intégration et de citoyenneté. Cependant, d'autres questions sur ce

religieux de référence à caractère définitif. Ceci tout en laissant une marge de liberté pour comprendre et appliquer les textes qui s'apprêtent à la discussion.

- c) L'intégration doit se faire tout en respectant les lois organisant les sociétés européennes. A cette occasion, il a été rappelé que ces lois disposent d'un champ d'intégration positive que les musulmans n'ont pas su investir.
- d) L'intégration doit être fondée sur une base d'investigation scientifique de la réalité européenne.
- e) Il faut mettre en valeur le grand nombre d'opportunités et de moyens disponibles dans les sociétés européennes.
- f) L'intégration doit être réalisée sur une base de dialogue continu avec les composantes culturelles, politiques et sociales de la société européenne.

### **Cinquième chapitre : Les voies d'intégration et ses mécanismes.**

Dans ce chapitre ont été exposées les recherches suivantes :

- 1- Les musulmans en Europe, entre le devoir de citoyenneté et la préservation de l'identité, par Dr. Ahmed Jaballah.
- 2- La règlementation de la participation politique et sociale des musulmans au sein des sociétés des minorités, par Dr. Hamza Ben Hussein Asharif.
- 3- Le rôle de la communication pour la citoyenneté, par Cheikh Mewali Moussa.
- 4- Le rôle du dialogue pour la citoyenneté et l'intégration, par Cheikh Rashid Al Ghanouchi.
- 5- Le rôle de la famille musulmane dans l'intégration, par Cheikh Salem Asheikhi.
- 6- La citoyenneté en tant que principe de pour améliorer et réformer le groupe, par Dr. Ahmed Ali Al Imam.
- 7- Le rôle des organisations islamiques dans l'intégration, par Shakib Ben Makhoulf.

Ainsi, les recherches, dans ce chapitre, ont montré l'importance de la communication pour réussir l'intégration. Elle ont également insisté sur le fait que cette communication doit prendre en considération les exigences de la réalité européenne en attirant l'attention sur les nombreuses erreurs commises aujourd'hui dans ce domaine et la nécessité des les éviter.

Les recherches que contient ce chapitre ont abordé l'intégration par son aspect positif; certains intervenants ont conclu que le but de la participation civilisationnelle, au sens d'une contribution à l'édification de la civilisation. Il s'agit donc de donner et de recevoir de l'autre afin de bâtir une culture partagée susceptible de faciliter l'intégration positive des musulmans dans leurs sociétés d'accueil et de promouvoir une citoyenneté saine.

Par ailleurs, les débats et les commentaires ont affirmé que l'intégration des musulmans doit être une intégration efficace afin qu'ils puissent apporter le bien matériel et moral à leurs sociétés. En revanche, de nombreuses interventions ont mis en avant le retard des musulmans dans ce domaine en évoquant leur négligence de définir une finalité de l'intégration, chose qui les aiderait à mieux mener leur projet d'insertion dans la société d'accueil.

#### **Quatrième chapitre : Les règles et les limites de l'intégration**

Dans ce chapitre, ont été présentées les recherches suivantes :

- 1- Les politiques européennes et leur rôle dans l'intégration (en Anglais), par Dr. Mauritz Berkhar.
- 2- Les règles de l'intégration positive, par Dr. Hussein Halawa.
- 3- Le musulman en tant que citoyen en Europe, par Cheikh Faiçal Mawlawi.

Ces recherches ont constaté que le projet de l'intégration est entouré de risques, et peut se solder par une assimilation des communautés musulmanes comme cela était le cas auparavant. C'est pourquoi, il faut fixer des conditions à l'intégration ainsi que des règles d'orientation sur une voie modérée et productive. Ces règles éviteront également aux musulmans l'isolement ou l'assimilation.

Parmi ces règles de l'intégration présentées dans ce chapitre, on énumère ce qui suit :

- a) Définir le contenu de l'intégration voulue afin de le distinguer des autres versions proposées par certaines parties qui entendent par intégration l'assimilation. Dans la même optique, certains participants ont appelé le Conseil à dialoguer avec les institutions européennes dans le but de convenir sur une définition commune de l'intégration.
- b) L'intégration doit être limitée par la préservation de la particularité du musulman concernant la religion, le culte, les mœurs et les textes

## **Deuxième chapitre : la réalité européenne, un espace pour la citoyenneté**

Deux exposés ont été faits dans ce chapitre :

- 1- Les droits des minorités non musulmanes dans l'Empire Ottoman, par le Cheikh Mustafa Mollah Oghlou.
- 2- L'expérience historique d'intégration à travers l'école de Ghazi Beik, par Dr. Mustafa Ceric'.
- 3- La réalité de la présence de l'islam en Europe, par Dr. Mohammed Al-hawari.

Ces recherches ont expliqué la réalité des musulmans en Europe sur le plan démographique : croissance et situation générale. En effet, une étude statistique a été effectuée concernant le nombre de musulman en Europe qui avoisine 37 millions. L'étude a également confirmé que l'Islam est devenu concrètement une des composantes de la société européenne.

D'ailleurs, les intervenants ont demandé à ce que d'autres recherches statistiques soient effectuées sur le terrain pour connaître la réalité européenne en générale et la réalité des musulmans particuliers, et ce dans le but d'atteindre l'intégration en ayant une bonne connaissance des faits. De plus, une expérience historique de l'intégration des non musulmans dans la société musulmane, a été présentée dans ce chapitre, en l'occurrence sous l'Empire Ottoman et dans les écoles islamiques aux Balkans pour en tirer une leçon de cette expérience, pouvant éventuellement servir de modèle pour l'intégration future.

## **Troisième chapitre : L'intégration et de la citoyenneté : une vision de l'avenir**

Dans ce chapitre, trois recherches ont été exposées :

- 1- L'effet de l'intégration des musulmans en Amérique Latine, par Dr. Jamal Badawi.
- 2- La citoyenneté dans les pays non islamiques entre opposants et partisans, par Dr. Salah Sultan.
- 3- Le partenariat civilisationnel, une introduction à l'intégration, par Dr. Abd Almajid An-najar.

La cérémonie a également été marquée par des festivités exprimant la joie lors de cette l'occasion.

La dernière intervention était celle du l'érudit Cheikh Youssouf Qaradawi qui confirma que le rôle du Conseil consiste à instruire les musulmans en Europe à propos de leur religion. Il a aussi parlé des efforts déployés par le conseil durant les dix dernière années afin d'atteindre cet objectif. L'Imam Qaradawi a aussi évoqué la dimension universelle du message de l'Islam et l'effet que le dialogue avec les non musulmans a sur la construction des liens fondés sur le vivre-ensemble et la paix, notamment avec les monothéistes qui, tout comme les musulmans, croient en Dieu, aux principes moraux et à l'équité. D'ailleurs, il les a appelés à œuvrer aux côtés des musulmans dans le cadre des ces principes communs.

Ensuite, les travaux du Conseil se sont succédés durant cette session : le séminaire scientifique sur le thème (les musulmans en Europe : la citoyenneté et l'intégration). Dans ce séminaire, dix huit travaux de recherche ont été exposés sur ce thème et suivis par des débats et des commentaires exhaustifs. Ces recherches étaient réparties dans cinq chapitres :

### **Premier chapitre : Le cadre légal de la citoyenneté et de l'intégration**

Deux recherches y ont été présentées :

- 1- Le cadre religieux et la finalité de la citoyenneté et de l'intégration, par le Docteur Youssouf Qaradawi.
- 2- L'allégeance et la loyauté entre la religion et la citoyenneté, par Abdallah Ben Beya.

La conclusion des deux recherches consistait à ce que la citoyenneté et l'intégration des musulmans dans la société européenne est, légitime en tant que principe et adhère aux objectifs de la religion musulmane. En effet, cette citoyenneté constitue une passerelle entre l'Europe et le Monde musulman et profite donc aux deux parties d'où l'affirmation que l'intégration des musulmans ne s'oppose point au principe islamique de d'allégeance/désaveu. De ce fait, cette intégration, au sens strict du terme mentionné sans les textes coranique et la Sunna du prophète, elle ne s'oppose nullement à la citoyenneté des musulmans et leur interaction avec leur environnement social.

Louange à Dieu Seigneur de l'Univers, Paix et Prières sur Mohammed (PSDL), sur sa famille, ses compagnons ainsi que sur tout ceux qui suivent sa voie jusqu'au Jour Dernier.

La 17<sup>ème</sup> session ordinaire du Conseil Européen pour la Fatwa et la recherche s'est tenue, avec l'aide de Dieu, dans la ville de Sarajevo en Bosnie-Herzégovine du 28 Rabi II au 2 Joumada I 1428 hégire, date correspondant au 15 au 19 mai 2008, sous la présidence du Cheikh et Docteur Youssef Qaradawi, Président du Conseil et en présence de la plus part des membres du conseil ainsi que d'autres invités et observateurs.

Par ailleurs, à l'occasion de la 10<sup>ème</sup> édition de ce conseil pour la Fatwa et la recherche, cette session a été inaugurée par une grande cérémonie qui a eu lieu au Centre Islamique du roi Fahd avec la participation, outre les membres du conseil, d'un grand nombre d'invités dont des savants bosniens et des cheikhs musulmans, d'autres savants venus des quatre coins du monde, le ministre bosnien des droits de l'homme et des affaires des réfugiés M. Safwat Halilovic'. A cette cérémonie, étaient aussi conviés les représentants des groupes religieux en Bosnie : des juifs, des chrétiens orthodoxes et catholiques, et certains représentants des délégations diplomatiques des pays musulmans ainsi que d'autres invités du peuple bosnien.

La cérémonie a également été marquée par l'intervention de quelques invités accueillant le Conseil Européen pour la Fatwa et saluant son rôle important et ses réalisations au profit des musulmans durant les dix années précédentes. Parmi ces interventions celle de son excellence, le représentant du gouvernement bosnien, le ministre Safwat Halilovic', l'intervention du Docteur Abd Alaziz Al Aqili, le directeur du centre du roi Fahd, l'intervention des assemblées juridiques, représentées par son excellence, le secrétaire général, le vice-président de la commission de la recherche à l'université d'Al- Azhar, Dr. Ali Abd Al-baqi, l'intervention de son excellence, le président de l'Union des Organisation Islamique en Europe, M. Chakib Ben Makhlouf, l'intervention des invités, représentés par Dr. Ahmed al Assal et une intervention émouvante de son excellence Raïsou Al-Ulama de la Bosnie-Herzégovine Dr Mustafa Cerić'.



# **Déclaration finale**

**Le Conseil Européen pour la Fatwa et la Recherche**

**Le compte-rendu final de la 17<sup>ème</sup> session ordinaire du  
Conseil Européen pour la Fatwa et la Recherche, tenue  
à Sarajevo en Bosnie-Herzégovine du 28 Rabi II au 2  
Joumada I 1428 hégire, date correspondante à la  
période du 15 au 19 mai 2007**



sur l'individu musulman : son instruction et son progrès, puis sur le groupe musulman et son exemplarité afin de présenter un modèle intégrable à la société d'accueil.

Et il a été bien sûr question de la famille comme institution éducative pouvant faciliter et rationaliser l'intégration des individus. En effet, c'est le lieu de formation de l'identité islamique de ses membres et le cadre de l'ouverture sur la société. Elle doit être aussi la première école de citoyenneté en intégrant aux enfants les notions de droits et devoirs, du respect d'autrui et de service de l'intérêt commun et général. Plusieurs études recommandent de prévoir des programmes pour assister et réhabiliter la famille musulmane en Europe pour qu'elle puisse accomplir sa mission dans l'intégration positive.

Certains intervenants ont rappelé, par ailleurs, l'importance du rôle des organisations islamiques dans l'intégration positive des musulmans en Europe. Ce rôle commence par la conscientisation et la promotion de l'intégration positive et proactive, puis par la construction d'une culture associative saine parmi la communauté musulmane européenne. En fait, la société européenne accorde une place importante aux institutions et l'on ne peut s'y intégrer qu'à travers les institutions. Seule cette voie mène au partenariat productif avec le reste de la société. Les institutions jouent un rôle important dans la représentation et la connaissance de l'Islam et ses valeurs et dans le tissage des liens de confiance entre les musulmans et leurs concitoyens, gage de réussite du projet d'intégration.

Ces études et les débats qui les ont suivies ont traité d'aspects divers du sujet de la citoyenneté et d'intégration, mais certaines questions persistent. En effet, la dimension juridique de la citoyenneté et de l'intégration n'a pas été suffisamment étudiée. Un enseignant devait préparer une approche du sujet mais il s'est excusé au dernier moment. Ainsi, le sujet est encore sous l'étude et le conseil y reviendra au moment propice, pour y déduire des avis juridico-religieux pour les musulmans européens.

Que Dieu nous accorde son aide.

**Commission de la recherche**

doivent être une source de bien psychologique et matériel pour leurs concitoyens. Des remarques ont été faites à propos de l'incapacité des musulmans à être à la hauteur de cette mission, et propos de leur négligence de la finalité de leur intégration.

**Quatrième axe :** les conditions et les règles qui organisent cette intégration. Les recherches présentées ont tous fait état des risques et des ornières qui jalonnent le chemin de l'intégration. Elles mettent en garde contre l'assimilation des musulmans dans leurs sociétés d'accueil et la dissolution de leur culture et leur identité à l'instar de leurs frères et sœurs en Amérique latine et en Australie. Les intervenants préconisent donc l'élaboration de certaines règles et conditions qui aideront à maîtriser et à guider l'intégration vers l'objectif voulu. Certains ont proposé d'initier un débat avec des organismes et institutions européennes pour déterminer le sens et le contenu du projet d'intégration musulmane en Europe.

Parmi les conditions proposées pour encadrer l'intégration, se trouve celle qui requiert le respect des valeurs religieuses musulmanes et les pratiques connues par tous et reconnues comme fondamentales. Il y a aussi l'exigence de laisser une marge de liberté d'Ijtihad dans les affaires qui s'y apprêtent d'un côté, et le respect des lois des pays d'accueil d'un autre. En effet, il a été noté que ces lois offrent un espace de liberté important pour les musulmans qui, hélas, n'en font pas usage comme il se doit. Il est aussi recommandé de baser l'intégration sur des études scientifiques de la réalité européenne, de profiter des opportunités offertes dans le domaine culturel, politique et social pour agir positivement. Une étude a mis l'accent sur les droits civiques comme base d'intégration et non les spécificités culturelles, une opinion qui a été accueillie avec réserve.

**Cinquième axe :** les voies et les mécanismes de l'intégration. La majorité de recherches présentées ont mis l'accent sur l'importance de la Da'wa comme moyen d'intégration efficace, en rappelant que cet appel à la foi doit se faire dans le respect de l'environnement social européen et éviter les erreurs commises de nos jours par les porteurs de cet appel. Des intervenants ont parlé de la nécessité de faire connaître la religion musulmane aux occidentaux afin de faciliter leur compréhension des comportements des musulmans et améliorer l'accueil de cette nouvelle population et sa religion. D'autres intervenants ont concentré leur approche

Nous avons distingué cinq axes d'approche et de thème :

**Premier axe :** le cadre juridico-religieux de la citoyenneté et de l'intégration. Les études conduites dans ces sujets s'accordent sur le fait que la citoyenneté des musulmans et leur intégration dans leurs sociétés d'accueils sont légitimes d'un point de vue religieux, car compatibles avec les finalités de la religion. En fait la citoyenneté peut être une voie d'introduction de l'Islam dans cet espace. Y adhérer devient un devoir religieux - surtout qu'elle construise des ponts entre le monde européen et le monde islamique, bénéficiant ainsi aux deux -. De plus, l'intégration des musulmans dans leur environnement européen ne contredit en rien le principe de loyauté (aux musulmans) et du désaveu (de leur ennemi). En effet, certaines études ont démontré que ce principe n'a rien de religieux et d'autres ont confirmé que s'il est fondé religieusement, il représente, néanmoins, une attitude rigoriste voire extrémiste ! Ainsi revu et revisité, ce principe n'empêche en rien les musulmans européens d'être citoyens de leurs pays d'adoption et de s'intégrer dans l'environnement social européen.

**Deuxième axe :** la réalité européenne comme espace citoyen. Les études et la recherche présentées dans ce thème expliquent la réalité vécue par les musulmans européens, leur nombre, leur développement, leurs conditions de vie en général. Elles ont mis en avant la croissance de la population musulmane, sa stabilité et sa tendance à s'établir en Europe. Les intervenants ont pointé la nécessité de conduire davantage de recherches à ce propos pour que les fatwas concernant l'intégration soient prises en connaissance de cause. Dans ce cadre, une étude historique a été présentée, traitant du cas de l'intégration des populations musulmanes et non musulmanes vivant sous l'empire ottoman, et de l'exemple des écoles islamiques aux Balkans, afin de tirer profit de ces expériences.

**Troisième axe :** les objectifs de la citoyenneté et de l'intégration, une vision pour l'avenir. Les études présentées dans ce domaine s'accordent sur le fait que la réussite de l'intégration des musulmans en Europe dépend des objectifs qu'ils se sont fixés au préalable. Certains intervenants ont insisté sur le fait que seul le partenariat dans l'édification de la civilisation européenne représente la voie d'intégration et de citoyenneté musulmane réussie. Des débats qui ont suivi ces propositions, il ressort que l'intégration des musulmans doit se faire de façon interactive et positive : les musulmans

de la croyante avec le non croyant. Les accusations qui ont été faites contre le conseil prouvent que ceux qui les ont proférées ignorent ces précédents. La question que nous leur posons est la suivante : est-ce que le fait de suivre les avis d'Omar et d'Ali, que Dieu les agréé, équivaut à prononcer des fatwas erronées et suivre le mauvais chemin ?

Par ailleurs, notre accusateur a été invité à plusieurs reprises à nos sessions de travail afin qu'il expose son point de vue et qu'il le défende, et qu'il ait l'occasion d'exprimer ses critiques vis-à-vis de nos travaux. Mais, il s'est excusé à chaque fois. La situation étant ainsi, il aurait pu montrer de la mesure et de l'objectivité en critiquant nos avis. Certes, il est de son droit de réfuter nos fatwas mais qu'il présente ses arguments et qu'il développe un raisonnement scientifique au lieu de lancer des accusations contre nous et nous intenter un procès d'intention ! Ce comportement est inacceptable ! Nous le dénonçons et le rejetons et nous appelons l'auteur de ces allégations d'assumer sa responsabilité devant Dieu, le jour où tout le monde se présentera devant Lui.

Le Conseil continue sa marche et sa mission déclarée le jour de sa constitution, à savoir faire des propositions de fatwas pour guider les musulmans européens dans leur vie quotidienne et dans leur effort de s'insérer dans leurs sociétés d'accueil de façon créative et positive. Comme toujours, il ne publiera aucun avis religieux sans avoir conduit des études approfondies sur le sujet concerné, en tenant compte de la réalité vécue et des textes fondamentaux. Ses membres sont sincères dans leur intention et fidèles à leur objectif : contribuer au bien-être des musulmans en général et à ceux qui vivent en Europe en particulier. S'ils le font bien ils recevront deux fois leur récompense et s'ils échouent ils auront une récompense quand-même, c'est notre bien aimé prophète qui nous l'assure.

Suivant cette méthode rigoureuse et exhaustive, nous avons composé les sujets du ce numéro douze de notre périodique. Il contient plusieurs recherches présentées et discutées lors de la dix-septième session. Des avis et des fatwas ont été issus de cette session, que vous trouverez dans la déclaration finale, ci-jointe.

Au cours de cette session, plusieurs études ont été présentées concernant le thème : les musulmans en Europe entre citoyenneté et intégration. Chaque présentation a été suivie d'un débat et de commentaires.

contemporains : il nous suffit de citer Cheikh Youssef Qaradaoui, Cheikh Abdallah Ben Baya, l'éminent Jurisconsulte Taqqyuddin Othmani, Professeur Hussein Hamed... par ailleurs, le conseil compte aussi un certain nombre d'experts comme membres, concernant les questions européennes en particulier et d'autres questions en général : politique, économique. En cela, il ne diffère en rien aux autres conseils de fatwas dans le monde islamique. En fait, notre conseil se spécialise dans la fatwa pour les musulmans européens, donc il s'enracine dans leur réalité. Comment faire autrement sans produire une jurisprudence déconnectée de la réalité ou sclérosée dans le passé ou erronée parce que produite par des personnes dont les pas n'ont jamais foulé le sol européen.

Comment peut-on faire croire qu'un groupe d'éminents savants religieux tels que ceux susmentionnés, soient complices d'une entreprise de fausses fatwas dictées par des intérêts politiques ? Comment croire que de tels hommes intègres se proclament muftis tout en trichant sur leur mission noble et volontaire ? Porter de telles accusations est vraiment un acte grave dont nous prenons acte et contre lequel nous ne prendrons aucune sanction car seul Dieu saura le juger au Jour du jugement dernier !

Répondons alors à ces allégations : est-ce que le conseil a permis de contracter les prêts à intérêts juste pour faire face aux imprévus et a autorisé les transactions usuraires ? Certes non ! C'est un mensonge éhonté. Le conseil a seulement autorisé de contracter des prêts bancaires au cas où le musulman vivant en Europe a besoin d'acheter un logement. Il a, par ailleurs, entouré cette permission de plusieurs conditions pour que son usage ne dépasse pas les cas de nécessité. Quant à la fatwa concernant la femme musulmane maintenant les liens maritaux avec un mari mécréant, elle n'est pas générale, elle est spécifique aux femmes qui embrassent l'Islam alors que leurs époux demeurent non musulmans. Cet avis-là est aussi limité par des conditions et il se réfère à un précédent notoire : la fatwa d'Ali Ibn Abi Talib et d'Omar ibn Alkhattab et certains autres faqih de la génération des Tabioun. Cet avis a été publié suite à un long et profond travail de recherche : le deuxième numéro du périodique du conseil lui a été entièrement consacré. Ces recherches ont mené à la découverte de fatwas et d'avis anciens émis par des compagnons du prophète et par des jurisconsultes appartenant à la génération qui leur succéda, inconnues à ceux qui croyaient que le consensus a été fait sur l'illicéité du maintien du mariage

commun : la vérité. Hélas, ces accusateurs ont choisi de nous faire un procès d'intention, de jeter sur notre activité le doute sans apporter de preuve scientifique ni argument religieux.

Certains nous accusent d'être l'organe d'un parti et de servir des objectifs partisans et que nos fatwas sont nulles car élaborées pour promouvoir un groupe. Ils prétendent même que les membres du conseil des fatwas et de la recherche n'ont aucune connaissance de la jurisprudence islamique et ne possèdent pas de qualifications adéquates pour exercer leur fonction ! On accuse le conseil d'avoir comme but ultime d'obtenir la confiance des décideurs européens et leur permettre de gouverner, maîtriser leurs sociétés et les diriger en leur offrant une version de l'Islam soumis à la modernité et le renouveau. Partant de cette thèse, ils considèrent les fatwas et les avis issus par le conseil comme invalides car publiés pour satisfaire les politiques. Ils invalident ainsi les fatwas - supposées être délivrées par le conseil - permettant de contracter des prêts à intérêt pour faire face aux imprévus, de faire les transactions usuraires, de permettre à la femme musulmane de maintenir les liens maritaux avec l'époux mécréant et d'autoriser les femmes musulmanes d'obéir aux décisions des juges qui interdisent le hijab<sup>1</sup>.

Il est certes douloureux pour nous de voir que de telles allégations sont proférées par un homme appartenant à la catégorie des savants religieux. En agissant ainsi, il transgresse les règles de l'éthique scientifique et religieuse qui ne sauraient tolérer de telles accusations non fondées. Il contrevient aussi à la méthodologie de la recherche qui requiert la véracité des propos et l'argumentation logique et l'opposition des idées et des preuves...Les transgressions commises sont nombreuses et indignes d'une personne qui adhère à l'éthique des savants.

De quel esprit partisan nous parle-t-il ? Notre conseil regroupe des spécialistes et experts reconnus qui n'appartiennent à aucun parti. S'ils ont un but commun et une préoccupation partagée, ils appartiennent à des écoles doctrinales différentes. Comment prétendre que les membres de conseil sont incompetents alors qu'ils appartiennent tous à l'élite des jurisconsultes

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<sup>1</sup> Ces accusations ainsi que d'autres sont faites à notre rencontre dans le livre de Cheikh Mohamed Saïd Ramadhan Al-Bouti.

Ceci en tenant compte bien sûr de l'aspect religieux et jurisprudentiel. Si suite à ces études et ces examens, on arrive à voir la pertinence de l'avis et son bon fondement, on le publie, sinon, on reporte la publication pour parfaire l'étude et rassembler les preuves et mieux construire l'argumentation. Pour ce faire, le conseil initia une bonne tradition : tenir une table ronde scientifique et méthodologique à chaque session, à laquelle sont conviés les membres du conseil et les experts dont la compétence répond aux sujets discutés. Au cours de cette table ronde, on discute les avis et les fatwas à délivrer et en relation à ces sujets. Ainsi, ils ne seront publiés qu'après avoir été bien étudiés, discutés et confirmés. Les onze numéros du périodique spécialisé publiés par le conseil témoignent du sérieux de notre approche et nos méthodes. En témoignent aussi les diverses publications et livres du conseil.

Malgré son jeune âge, le conseil est devenu une référence juridique et religieuse pour les musulmans européens et un organisme religieux respecté par les responsables locaux et nationaux européens. Il est consulté en ce qui concerne les questions en relation avec l'Islam, la vie quotidienne et religion des musulmans. Tout cela a été réalisé grâce à la bienveillance de Dieu et à la persévérance et la sincérité des membres du conseil au service des musulmans et de l'Islam en Europe. Ils déploient des efforts continus de recherche et de compréhension pour être au niveau exigé de l'ijtihad et afin de délivrer des fatwas appropriées. Ils donnent de leur savoir et de leur temps sans attendre de rétribution dans le monde ici-bas, et n'espérant qu'être agréés par Dieu le jour où ni la richesse ni la descendance n'ont de valeur !

En observant le chemin que nous avons parcouru tout au long de ces dix ans, nous, membres du conseil, aspirons à aller de l'avant et à améliorer notre rendement. Nous constatons également que nous avons emprunté le bon chemin et que nous avançons d'un pas sûr vers nos objectifs. Toutefois, nous portons notre plainte devant Dieu face aux accusations et allégations de ceux qui nous regardent avec soupçon, ceux qui nous lancent des invectives et nous accusent fausement de toutes les vilénies. Si ceux-ci étaient ignares, nous l'aurions compris mais ils appartiennent aux gens du savoir ! Nous ne leur dénisons pas le droit de nous critiquer mais les invitons simplement à le faire de façon scientifique : en opposant leur avis au nôtre, leurs arguments aux nôtres et leur méthode à la nôtre, afin d'atteindre le but

## **Introduction**

En juillet 2007, le Conseil Européen de la Fatwa et de la Recherche a célébré son dixième anniversaire. Certes, dix ans, ce n'est qu'une courte période d'existence, mais elle a été très riche en réalisations : dix-sept séminaires organisés, environ deux cent études présentées, des centaines de fatwas et d'avis jurisprudentiels publiés. Des avis qui traitent en majorité de divers aspects de la vie des musulmans en Europe : familial, social, économique et politique. Tout ce travail a été fait en tenant compte de la réalité vécue, de la bonne compréhension des textes de référence et en suivant un raisonnement logique, en construisant une argumentation solide afin que la fatwa soit bien fondée et utile, servant l'intérêt des musulmans et de la société qui les accueille.

Le champ d'action du conseil n'a pas cessé de l'élargir et de se développer durant cette courte période de son existence. A ses débuts, sa mission se limitait à répondre aux questions et sollicitations des musulmans qui concernaient divers aspects de leur vie quotidienne, qu'ils voulaient compatibles aux préceptes religieux. Dans une étape ultérieure, le conseil étend son activité au champ social et politique en traitant des questions concernant la citoyenneté des musulmans dans leurs sociétés d'accueil. Suite à cette période, il a eu davantage d'extension du champ d'investigation et d'expertise du conseil qui élabore désormais une vision de la présence musulmane en Europe comme partie prenante dans la construction de la civilisation et la prospérité de ce continent. Il devient ainsi une force de proposition qui incite les musulmans à quitter la marge de la société et s'insérer dans le circuit de production, à donner et à recevoir.

Quelque soit l'avis juridique donné par le conseil, spécifique ou global, il est précédé par des études approfondies de la réalité européenne qui représente l'environnement social pour lequel est destiné l'avis ou la fatwa.



and its followers and instigate other nations against it. Allah Almighty says: “Invite (all) to the Way of your Lord with wisdom and beautiful preaching and argue with them in ways that are best and most gracious.” (An-Nahl 125)

The Council concluded the proceedings of the 17th Session by addressing sincere thanks and appreciation to the Islamic headquarters of Sheikhs in Bosnia and Herzegovina for hosting this session. The ECFR expresses its gratitude to all the brothers and sisters from Bosnia who contributed to the success of this session. Especial thank is presented to the King Fahd Islamic Centre for hosting the celebration of ten years of excellence of the ECFR. A special gratitude is presented to the Bosnian Government for facilitating entry visas for members of the ECFR. Especial thank is presented to the al-Maktoum Charity Committee for their continuous support and sponsorship of the Council. Especial thank is also presented to the general secretariat of the ECFR and all the brothers and sisters who facilitated this session. Finally, thank is presented to the members of the media, who covered the session.

Our last prayer is praise be to Allah.

10. Forming legal committees to defend the rights of minorities and combat racism.

11. Endeavouring to attain recognition of Islam as a religion and of Muslims as a minority, like other minorities, in respect of their rights guaranteed by legislations, constitutions and conventions.

12. The ECFR, on the basis of its previously issued resolutions, confirms the importance of the Muslim political contribution.

Recommendations to civil societies and decision makers:

1 Endeavour to terminate all forms of racism that Muslims sometimes suffer when dealing with others and racism that Muslims suffer in European administrations.

2 Create channels to communicate with Muslims at all levels.

3 Facilitate job and educational opportunities for Muslims and treat them in the same way other minorities are treated.

4 Appeal to audio and visual media to apply an objective approach when tackling Muslim affairs.

The ECFR, as usual, recommends Muslims living in Europe to fulfill all their responsibilities, reflect a good Islamic image and be exemplary with regard to their words and actions. The ECFR recommends them to commit themselves to what is stated in the Holy Qur'an and Sunnah and what Muslim Fuqaha' (jurists) have unanimously agreed upon regarding the obligation of fulfilling the requirements of citizenship and residence and abiding by the law and general regulations in the countries where they live. The ECFR also recommends them to shun all form of violence and, in conformity to Islamic commands, apply an approach of mercy and clemency when dealing with people and condemn whosoever goes astray from this right path.

The Council also recommends Muslims in general, and those dwelling in the West in particular, to adhere to Allah's religion and brotherhood, tolerance, moderation, and cooperation in matters of benevolence and righteousness. They should also adopt quiet dialogue and sound methods to solve controversial problems away from the programmes of strictness and paths of extremism that would distort the image of Islam and badly harm Muslims in general, and Muslim minorities in particular. The enemies of Islam and the ignorant thereof would defame it and warn others against it

Answer: There is no harm in anesthetizing the patient suffering from laryngeal cancer to relieve him from his pain provided the dosage is less than the amount that may kill him; otherwise it will be included within the scope of Active Euthanasia that the ECFR prohibited in a previous resolution.

## **Recommendations**

Recommendations and suggestions made by the ECFR to Muslims living in Europe:

1. Abiding by laws pertaining to the rights and responsibilities of citizenship.
2. Abiding by all laws and regulations set by official authorities.
3. Improving the image of Islam and Muslims through abiding by the great principles and values of Islam and embarking on Islamic awareness programmes.
4. Transcending inherited habits and traditions that distort the image of Islam.
5. Embarking on courses and programmes that help to accomplish positive integration.
6. Qualifying Imams and those who work in Muslim affairs so that they might become exemplary in accomplishing positive integration. Preparing a chosen number of Muslims who can communicate well with the West so that they can speak about Islam and present its wonderful image.
7. Establishing integrated Islamic centres that, in addition to mosques, encompass libraries, cultural, social and sporting clubs, restaurants etc. While focusing on activities of integrations e.g. scouts and Islamic awareness weeks, they should have a wide range of religious, cultural, social and sporting activities
8. Active and positive contributions to civil societies, environmental and social activities of neighbourhood and civil activities organized at the state level.
9. Implementing institutional work and shunning the formation of racial, dogmatic, party or sectarian ghettos.

*Fatwa 9/17*

*Zakah imposed on security money*

According to the letting system in Europe, the tenant should pay a deposit, to be repaid at the end of tenancy. Should Zakah be collected with regard to a deposit owned for one year while reaching the minimum of imposing Zakah?

Answer: The deposit paid by the tenant to the landlord is owned by the tenant but not guaranteed. It is just like a debt the repayment of which is not guaranteed. The tenant does not have it under his control. It might be repaid to him in full or partially. Hence, no Zakah is to be collected with regard to the deposit as long as it is not repaid. When it is repaid, Zakah of one year should be applicable.

*Fatwa 10/17*

*Life-guard in a mixed swimming pool*

I work as a life-guard at a swimming pool, so I have to watch swimmers. Some of the swimmers are women and they are often dressed in their swimming suits. Is it permissible for me to do this job?

There is no harm in working as a life-guard at a mixed swimming pool provided you observe the Islamic requirements i.e. avoiding looking at organs that should not be seen and avoiding forbidden privacy and the forbidden intermingling. It is apparent that you are committing prohibited deeds e.g. seeing women's body. This is forbidden except in cases where it is strictly necessary. We recommend that you continue in this job while looking for another opportunity that does not make you commit prohibited deeds.

*Fatwa 11/17*

*Anesthetizing the patient to relieve his pain*

I am a nurse and I tend patients suffering from laryngeal cancer. Sometimes, due to a jugular vein cut, a rupture occurs, which horrifies the nurse and the patient who sees himself bleeding until he dies. In case the doctor, who can do the operation to stop the rupture, is absent, the nurse is supposed immediately to anesthetize the patient so that he does not see the event. What is the Islamic rule regarding this anesthetizing injection that might kill the patient before he dies from rupture?

mentioned question is not permissible since it is a manifest breach of the initial marriage system and it is similar to the prohibited Nikah Al-Mutt'ah<sup>11</sup>. The fact that a deal is made by a number of men to alternatively use her as a unit of pleasure and the existence of a number of agencies organizing that matter stress the prohibition. Such behaviour makes the woman a cheap commodity, violates her dignity as a human being and is classified as a manifestation of taking advantage of others' difficult situations.

Moreover, this marriage is not sanctioned by law in civil registration offices and Islamic centres. In its fifteenth session, the ECFR issued a resolution stressing that it is essential to register marriage contracts in a registrar's office while observing marriage procedures at Islamic centres as a means to preserve the rights pertaining to the husband, wife and children.

*Fatwa 8/17*

*Disposal of a present that contains alcohol*

If someone gives me a present that contains alcohol, will it be permissible to give it to a Christian friend?

It is not permissible for the Muslim to accept a present that contains something prohibited e.g. alcohol. If he does, it will not be permissible for him to own it since what is forbidden cannot be valued or owned by the Muslim. Consequently it cannot be used, sold or granted. Moreover, whoever is exposed to such a situation should destroy it. Ibn 'Abbas narrated: "A man gave to the prophet –peace be upon him- a bottle of alcohol. So the prophet –peace be upon him- asked him: "Do you know that Allah has made it forbidden." The man said: "No." and then he whispered to another man. The prophet –peace be upon him- asked him: "What did you say to him." The man said: "I told him to sell it." the prophet –peace be upon him- said: "Allah, who has made it forbidden to drink, made it prohibited to sell." So the man opened it and poured it until the bottle was empty. (Narrated by Muslim in his Sahih)

This hadith states that it is forbidden to make any use thereof.

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<sup>11</sup> Non-perpetual Marriage.

Moreover, it is absolutely permissible to greet non-Muslims using the Muslim word Salam “peace”. Likewise, it is permissible to use any other word as long as the connotation thereof is not prohibited. This is the opinion of a number of Muslim scholars from the Companions, e.g. Ibn ‘Abbas, Ibn Mas’ud and Abu Tumamah, and the Followers e.g. Amer As-Sha’bi, ‘Umar Ibn ‘Abdel-‘Aziz, Al-Auza’i and Sufian Ibn ‘Uyainah. This opinion was perceived as preponderant by a number of recent scholars e.g. As-Sayid Rashid Rida. This is the authentic opinion.

*Fatwa 6/17*

*Drawings of living beings for educational purposes*

In early stages of education it is very important for children to draw pictures. Nevertheless, some people say drawing living beings e.g. man and animals is not permissible. Consequently the child is not allowed to draw what he is asked to draw at school. What is the Islamic rule in this regard?

Answer: Drawing for educational purposes is permissible. Islam permits toys that have the forms of statues used for playing and entertaining. Hence, permitting drawings of living beings for educational purposes is of more importance that should be taken into consideration. This is confirmed by contemporary research papers proving the significant importance of drawing in forming children’s characters and discovering their talents. Islam strictly prohibits statues and drawings used for glorification whose disadvantages outweigh their advantages.

*Fatwa 7/17*

*Marriage with intention of divorce*

Question: It has become a phenomenon in Britain that some Muslim men marry more than one woman in the period of month time. They marry with the intention of divorce. In this marriage the woman remains a wife for two weeks or perhaps more or less than that. It has gone so far that a man says to another: “I will be the first man to marry this woman when you divorce her. I have booked her.” In these cases the wife is usually an eastern European from the people of the Book willing to come to Britain. The man will marry her for a couple of weeks and then divorce her and bring another one to do the same thing.

Answer: The marriage contract is deemed to be a solemn covenant and is usually entered into with the intention of continuity unless there emerges a necessary termination. The type of marriage described in the above

topic of conversation is compatible with Islamic rules while observing the Islamic rules that include:

- 1 The topic of the conversation should be decent and permissible.
- 2 The girl does not appear on the screen except when observing hejab
- 3 It should be within the limits needed for marriage and not for entertainment that leads to impermissible issues.

*Fatwa 4/17*

Question: What is the Islamic rule regarding dyeing Man's hair?

Answer: To colour gray hair with the same colour, e.g. black, it was before turning grey is disliked in the case of old people according to a hadith reported by Jaber stating that on the day Mecca was conquered Abu Quhafa was brought and his hair and beard were utterly grey. The prophet –peace be upon him – said: “Colour this in any colour besides black.” This opinion is held by a group of Maliki, Hanbali and other Jurists, whereas another group of scholars from among the Companions<sup>8</sup>, the Followers<sup>9</sup> and the Hanafi School of Fiqh perceive it as permissible.

As for the young and middle-aged people, dyeing hair is permissible. The opinion of the Companions and the Followers should be interpreted to mean within this aging group.

*Fatwa 5/17*

*Greeting non-Muslims in Islamic Greeting*

Question: Is it permissible to greet a group of Muslims and non-Muslims by saying As-salamu Alaikum “peace be upon you”?

Answer: Greeting a mixture of Muslims and non-Muslims by saying As-salamu Alaikum “peace be upon you” was done by prophet Muhammad – peace be upon him- as stated in a hadith narrated by ‘Usamah and reported in the two Sahih Books<sup>10</sup> and other books: “The prophet –peace be upon him- passed by a mixture of Muslims, idol worshippers and Jews and greeted them.”

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<sup>8</sup> People lived during the lifetime of prophet Muhammad and died as Muslims

<sup>9</sup> People lived during the lifetime of the Companions and died as Muslims

<sup>10</sup> The Book of Al-Bukhari and the Book of Muslim

You should also look for a qualified Imam who would take on the responsibility of providing the Muslim minority there with Islamic guidance and the Muslim minority or Islamic organizations, whether the official or popular organizations, which appoint Imams in western countries, should cover his and his family's expenses. In case this is not viable, then you have to go to the nearest Islamic centre or the nearest scholar who is aware of European reality since this is a condition stipulated for correct Fatwas.

*Fatwa 2/17*

*Uncovering for medical purposes*

Question: After delivery my wife's stomach remained large. At that time the doctor said it would return to normal after a period of time. Nevertheless, this has not happened. So my wife visited the doctor again and the doctor prescribed massaging her stomach. This massage would be done by a female nurse (non-Muslim) and the treatment involves uncovering certain parts of the body that should be covered. In light of that, is this treatment permissible?

Answer: This treatment is permissible as it is necessary even though it might involve uncovering certain parts of the body that should be covered. Efforts should be exerted to keep the parts, which should be covered, covered. But it is not normal for the stomach to remain big. Hence, treating it to have the normal form is permissible. This is based on the opinion of the majority of Muslim scholars who state that women should cover from the navel to the knees in the presence of another woman. Two Muslim scholars stated that it is incumbent on the woman to cover her private parts in the presence of another woman. On the basis of the latter opinion, this treatment is permissible provided the private parts are covered. The fact that this treatment is done by a non-Muslim female nurse makes no difference since according to the preponderant Muslim opinion, parts that a Muslim woman should cover in the presence of another Muslim woman are the same parts that she has to cover in the presence of a non-Muslim woman.

*Fatwa 3/17*

*Chatting on line with a member of the opposite sex*

Question: What is the Islamic rule regarding the issue of chatting on line with a member of the opposite sex with the intention of marriage?

Answer: Chatting on line with a member of the opposite sex is similar to conversation that does not involve vision which is permissible, provided the



- The moon sets after the sun sets even a moment afterwards which means the commencement of the new month. This opinion of reliable scholars is harmonious with reliable astronomical phenomena.

- Choosing the geographical location of Mecca as the foundation for the above mentioned two conditions.

4 European countries should apply this rule to determine the commencement and the culmination of lunar months, especially the month of Ramadan and the month of Shawwal. Specifying these months in advance helps Muslims to fulfill their rites and celebrate and organize the festivals and occasions pertaining thereto.

5 The ECFR recommends its members, Imams and Islamic Scholars, both living in Muslim and non-Muslim societies, to endeavour to instill a culture of portraying respect to the definite outcome of astronomical calculations when stating the impossibility of sighting the moon due to the waning of the moon. In this case people should not be urged to try to sight the moon and claims of sighting the moon should be rejected.

6 The ECFR, God willing, will issue a calendar that states the commencement and the culmination of each month on the basis of this resolution.

## **Second: Fatwas**

### *Fatwa 1/17*

#### *Establishing a Muslim Society in Western Countries*

Question: Taking into consideration the fact that in our village there are three scholars, who are not fulfilling their duty, as the rest of the Muslim community do not have enough knowledge, what is the best way to preserve the Muslim community in our village located in the West?

Answer: Muslims residing in the West are supposed to endeavour to preserve their Muslim identity in the environment, no matter how small it is, to which they are related. To preserve the Muslim community first there is a need for determination and will resulting from the strong faith in Muslims' hearts. Second there is a need for Islamic knowledge. You should keep reminding the three scholars of their duties and help them to resolve the problems that hinder them from fulfilling their duties.

In order to accomplish positive balanced integration:

- The ECFR urges Muslims to preserve their Muslim identity without leading an isolated lifestyle but rather integrating in their societies in a way that does not lead to assimilation. It also urged Muslims to establish Da'wah and educational organizations needed to accomplish positive balanced integration.
- The ECFR appeals to European societies and in particular organizations concerned with the issue of integration to portray an open approach towards Muslims and to communicate with Muslim organizations e.g. the ECFR, to study integration and facilitate the means therefor, in such a way that benefits society and supports its progress and stability on one hand and on the other hand enables Muslims to preserve their Muslim European identity.

*Resolution 3/17*

*Forming a committee to follow up the issue of integration*

The ECFR decided to form a committee to follow up the issue of integration whether in relation to Muslims or official organizations and civil societies.

*Resolution 4/17*

*Verifying the commencement of lunar months*

Upon deliberating on a number of research papers on this topic, the ECFR issued the following resolutions:

- 1 Astronomical calculations have become one of the contemporary sciences that have reached a very high level of accuracy with regard to the courses of planets. This is especially so in relation to calculating the positions of the earth and moon in relation to each other so that there is no room for doubt at any time.
- 2 The moment of the waning of the moon is a universal event occurring all over the globe in the same moment. Years in advance, astronomical calculations can specify with significant accuracy when it will happen. The occurrence of such an event astronomically marks the culmination of the last month and the commencement of a new month. Such waning of the moon could occur at any moment of the day or night.
- 3 Islamically to prove the commencement of new month the following conditions should be fulfilled:
  - The waning of the moon should have already occurred.

Second: The trend that encourages setting an equilibrium between the requirements of integration and the requirements of preserving religious and cultural peculiarities.

The ECFR perceives the second trend as the manifestation of positive integration whose requirements should be specified vividly: The requirements of Muslim integration in European societies are reciprocal responsibilities shared by Muslims as individuals and organizations on the one hand, and the rest of European society, both individuals and organizations, on the other hand.

Following are some of the most important requirements that Muslims should fulfill. Not only do these requirements not cause any wrongdoing, but they are also encouraged by Islam:

1 The necessity of learning the language of European society, its culture and systems and subsequently abiding by public laws in full conformity to the divine verse: Allah said: “O you who believe! Fulfill (all) obligations” (Trans. 5:1)

2 Contribution to societal affairs and keenness to attain accomplishments of public interest in full conformity to the divine Command: Allah said: “And do good that you may prosper” (Trans. 22:77)

3 Endeavouring to find a job so that a Muslim can be active and productive and dependent on himself while benefiting others in full conformity to the Hadith in which the prophet –peace be upon him- said: “The giving hand is better than the taking hand” (Trans. Agreed upon).

Following are some of the most important requirements that we hope European society fulfills:

1 Establishing justice and equality among all citizens with regard to all rights and responsibilities in general, and in particular, protecting freedom of expression, freedom of religious practices, and social rights - the most significant of which are equal access to work and the principle of equal opportunities.

2 Combating racism and obliterating factors leading to Islamophobia especially in the media.

3 Encouraging initiatives of religious and cultural awareness between Muslims and non-Muslims in a way that leads to integration of members of one and the same society.

Upon deliberating on all the above mentioned research papers in the seminar, the ECFR issued the following:

### **First : Resolutions**

#### *Resolution 1/17 Citizenship and its requirements*

Upon deliberating on a number of academic research papers on the issue of integration, the ECFR confirmed its previously issued resolution pertaining thereto (17/3), and added:

The authentic Islamic opinion states that citizenship in non-Muslim countries is permissible for Muslims, whether indigenous or naturalized citizens. As for the proofs submitted to back its impermissibility, they could be either authentic, yet not supporting the prohibition or non-authentic hadiths not deemed to be proofs in Fiqh.

The ECFR perceives that citizenship of non-Muslim countries does not contradict religious fidelity since a Muslim's residence in a non-Muslim land does not require the fulfillment of certain requirements of citizenship contradictory to his religion e.g. defending his country against aggression. Muslims, by virtue of their religion, should be the first people to defend their country and, likewise, they should not be involved in any act of transgression executed by their country against any other country whether a Muslim state or a non-Muslim.

Coexistence and respecting others represent elements of the duties of citizenship that include portraying morality e.g. justice, cooperation to enjoin good and advice in conformity with laws in effect to rehabilitate what causes harm either to people or the country.

#### *Resolution 2/17 Specifying the concept of integration and its requirements*

Upon deliberating on the research papers elaborating on the agenda of this session, the ECFR issued the following resolution:

The European policies of integration are formed of two trends:

First: The trend that encourages assimilation even though it might lead to giving up the religious and cultural peculiarities of assimilated communities.

all other organizations, e.g. Islamic schools, Islamic centres, mosques and clubs, influencing the Muslim character should endeavour to prepare Muslims for positive integration in European society.

The above mentioned research papers and discussions stressed the importance of Islamic organizations in Europe regarding the process of positive integration starting from raising awareness of the authentic concept of integration and deep-rooting the culture of institutionalism among Muslims in Europe. This is encouraged by the fact that European society, to which Muslims are related, is an institutional society where integration is not viable except through this culture that enables Muslims deal on the basis of productive partnership. This proved to be a significant approach. It is self-evident that organizations have a significant role in being open with European society so that Westerners can be enlightened about Islam and Islamic values creating a bridge between them and Muslims in Europe, which is a reason for accomplishing positive integration.

Most of the points of integration have been deliberated on in the above mentioned research papers submitted in the seminar and comments were submitted. Nevertheless, some points e.g. the legal and philosophical dimension of integration are still in need of elaboration.

The agenda of this session was resumed and the ECFR deliberated on a number of questions and issued fatwas.

An entire meeting was dedicated to discuss the issue of new crescents (i.e. Muslim calendar) in order to reach a suitable fatwa that would remove the hardships that Muslims in Europe are facing and diminish the annually frequented disagreement especially at the commencement of the month of Ramadan and Shawwal. The following research papers were submitted on the matter of issue:

- 1- "Determining the commencement of lunar months on the basis of astronomy or sighting the crescent" by Dr. Muhammad Al-Hauwari
- 2- "Three issues pertaining to crescent" by Abdullah Al-Judai'
- 3- "Is the commencement of Ramadan or sighting the crescent the Islamic legal reason for observing the obligatory fasting of Ramadan?" By Sheikh Faysal Maulawi
- 4- A practical and educational vision regarding sighting the crescent by Dr. Salah Sultan

### **Fifth: Means and mechanism of integration**

The following research papers were submitted and deliberated:

- 1 *"Muslims in Europe between the duties of citizenship and preserving their identity"* by Dr. Ahmad Jaballa
- 2 *"Islamic rule regarding Muslims' social and political participation in non-Muslim societies"* by Dr. Hamza Ash-Sharief
- 3 *"The role of Da'wah in accomplishing citizenship"* by Sheikh. Matwali Musa
- 4 *"The role of dialogue in citizenship and integration"* by Sheikh Rashed Ghannushi
- 5 *"The role of the Muslim family in integration"* by Sheikh Salem Al-Sheikhi
- 6 *"Citizenship through the principle of congregational purification and reformation"* by Dr. Ahmad Al-Imam
- 7 *"The role of Muslim organizations in integration"* by Mr. Shakeeb Bin Makhluuf

The above mentioned research papers, while confirming the paramount importance of performing Da'wah to accomplish positive integration, recommended that such a role should be performed in conformity with the requirements of European reality. They also made reference to the many current mistakes and encouraged their avoidance.

The above mentioned research papers, while stating that the most important mechanism and reasons for integration were purifying the individual and the congregation and elevating them to the ideal and exemplary level, highlighted the importance of enlightening Westerners about Islam, its foundations and values as a preparation for the positive accommodation of Muslim integration.

Paying special attention to the significant role of family, deemed to be the cradle where man acquires his Muslim identity and learns positive integration into the society to which he is related, is one of the means of positive integration. Family is also deemed to be the first cradle to instill the authentic citizenship that requires respecting society and working in favour thereof. In parallel, efforts should be exerted to qualify the Muslim family to perform its significant role in the process of positive integration. In addition,

today's shortcomings in this regard and their heedlessness of such an objective deemed to be one of the most important approaches of integration.

#### **Fourth: Rules and regulations of integration**

The following research papers were submitted and deliberated:

1 *"European policies and their role in Muslim integration"* by Dr. Muries Burkhar

2 *"Rules of positive integration"* by Sheikh. Hussein Halawa

3 *"The Muslim as a citizen in Europe"* By Sheikh Faysal Maulawi

The above mentioned research papers highlighted the fact that the matter of issue i.e. integration is fraught with traps and could end up instead as assimilation as was the case for some Muslims. Hence, regulations and rules that organize the process of integration in the right, moderate and productive channel should be set to prevent isolation, as well as, assimilation. Some of these rules are:

*I.* Defining the targeted integration and specifying its concept in a way that distinguishes it from assimilation as targeted by some organizations. Some participants appealed to the ECFR to communicate with European organizations to reach an agreement regarding the concept of integration.

*II.* Muslim integration should be dependent on preserving Muslim distinctiveness i.e. creed, rituals, morality and Islamic rules portraying flexibility with regard to Islamic rules liable to Ijtihad<sup>7</sup>.

*III.* Integration should be accomplished in the light of laws that regulate European societies. It is worth mentioning here that these laws give enough room for positive integration, yet they are not used by Muslims.

*IV.* Integration should be based on academic research of European reality.

*V.* Integration should be based on utilizing opportunities and the huge number of facilities available in European society.

*VI.* Integration should be founded on continuous dialogue with the cultural, political and social components of European society.

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<sup>7</sup> Reasoning.

2 *"The historical experience of integration in Khusru Bek School"* by Dr. Mustafa Seritsh

3 *"The Reality of Muslim existence in Europe"* by Dr. Muhammad Al-Hauwari

In their research papers, they elucidated the Muslim reality in Europe in terms of Muslim population, development and general situation. They stated that Muslim existence in Europe is progressing in terms of stability and settlement. The third research paper includes a statistical study, which indicated that the Muslim population in Europe constitutes 37 millions. Dr. Hauwari confirmed that Islam has become an actual component of western society.

The discussants requested more academic field statistical research papers on European reality in general and Muslim reality in particular so that integration could be accomplished on the basis of understanding. Included in this section is also a historical experience of non-Muslim integration in Islamic society e.g. the Ottoman state and Islamic schools in the Balkans from which lessons have been drawn as a guide for future integration.

### **Third: Future objectives of integration and citizenship**

The following research papers were submitted and deliberated:

1 *"The impact of Muslim integration in North America"* by Dr. Jamal Badawi

2 *"Citizenship in non-Muslim countries, forbidden or permissible "* By Dr. Salah Sultan

3 *"Partnership in civilization is an approach of integration"* By Dr. Abdulmajeed An-Najar

It is worth mentioning here that integration as mentioned in the above research papers means positive integration. In some of these research papers it is stated that partnership in civilization which means involvement in development via giving and taking, when becoming part of the Muslim culture, facilitates positive integration and good citizenship.

All discussions and comments stressed that Muslim integration should be practically interpreted as positive integration wherewith Muslims attain material and spiritual accomplishments in favour of the societies they are related thereto. Nevertheless, many interpositions reflected Muslims' up-



accomplishments over the past ten years. Also included in the opening session were a number of entertaining performances celebrating the tenth anniversary of the ECFR.

The opening meeting was concluded by a speech delivered by His Eminence Dr. Sheikh Qaradawi, Chairman of the ECFR in which he crystallized the essential role performed by the ECFR in the field of enlightening Muslims in Europe about their religion. He also shed light on the efforts exerted over a period of ten years to accomplish this goal. Furthermore, he deliberated on the universality of the message of Islam and the importance of dialogue in establishing relations based on peaceful coexistence between Muslims and non-Muslims, especially People of the Book who share with Muslims the fundamental belief of Allah and the principles of morality and justice. Dr. Qaradawi invited the people of the Book to cooperate with Muslims with regard to matters pertaining to issues of commonalities.

Then the ECFR resumed the programme of its 17th session commencing with a seminar on “*Muslims living in Europe: Citizenship and Integration*”. During this session eight research papers, submitted, discussed and largely commented on, evolved around five foci:

### **First: Islamic foundations for citizenship and integration:**

The following research papers were submitted and deliberated:

1 “*Islamic creedal foundation and objectives of citizenship and integration*” by Dr. Sheikh Yusuf Al-Qaradawi

2 “*Fidelity of religion and citizenship* ” by Sheikh Abdullah Bin Baiyah

In their conclusions, it is stated that, provisionally, citizenship and integration in European society are not only permissible for Muslims but also encompassed in the scope of Islamic objectives since citizenship, which has a constructive influence on relations between the two worlds, is deemed to be the bridge between the European world and the Muslim world. Muslim integration does not contradict the principle of religious fidelity and loyalty provided they are understood in the light of the Qur’an and the Sunnah.

### **Second: European reality and citizenship**

The following research papers were submitted and deliberated:

1 “*Rights of non-Muslim minorities in the Ottoman state*” by Sheikh Mustafa Ughlu.

The final Statement of the Seventeenth Ordinary Session of the European Council for Fatwa and Research was held in Sarajevo, Bosnia and Herzegovina during the period 28th Rabi' Al-Akhar – 2<sup>nd</sup> Jumada Al-'Ula, 1428 AH corresponding to 15 - 19 of July, 2007

Praise be to Allah, the Worlds' Sustainer, and peace be upon our leader Muhammad and on all his family and his Companions and those who follow his guidance until the Day of Judgment.

By Allah's Grace and His Assistance the Seventeenth Ordinary Session of the European Council for Fatwa and Research (ECFR) was held in Sarajevo, Bosnia and Herzegovina during the period 28th Rabi' Al-Akhar - 2nd Jumada Al-'Ula, 1428 AH corresponding to 15 - 19 of July, 2007, chaired by His Eminence Sheikh Yusuf al-Qaradawi, and attended by most of the Members of the ECFR and a number of guests and observers.

Coinciding with the tenth anniversary of the ECFR, the opening meeting of the Seventeenth Ordinary Session of the European Council for Fatwa and Research was held at King Fahd Islamic Centre. It was attended by representatives of the religious communities in Bosnia – Judaism and Christianity - both Catholic and Orthodox- a number of diplomatic representatives of Muslim countries and a wide range of guests from the Bosnian people. In addition to the members of the ECFR, a great number of scholars from the Bosnian Headquarters of Sheikhs and Scholars from Bosnia and other countries and the Bosnian government representative Mr. Safwat Khalilufitch, Minister of Human Rights and Affairs of Refugees took part in the opening meeting.

Included in the programme of the opening session were a number of speeches delivered by some guests and members of the audience. These included a welcoming speech by Dr. Abdul Aziz Alakili, General Director of King Fahd Islamic Centre; a speech by the Bosnian government representative Minister Mr. Safwat Khalilufitch, a speech on behalf of Fiqh academies by the Assistant Secretary General of the Islamic Research Academy of Al-Azhar, Sheikh Ali Abdul Baqi; a speech by the Chairman of the Federation of the Muslim Organizations in Europe, Mr. Shakeeb Bin Makhluf; the guests' speech by Dr. Ahmad Al-Assal and a wonderful speech by His Eminence, the Mufti of Bosnia and Herzegovina, Dr. Mustafa Tserish. In their speeches, they welcomed the ECFR and paid tributes to its



# **Final Statement**

**The Seventeenth Ordinary Session of**

**The European Council for Fatwa and Research**

**Held in Sarajevo, Bosnia and Herzegovina**

**During the period 18th Rabi'Al-Akhar-2nd Jumada Al-'Ula, 1428 AH**

**19- 15of July, 2007**

tolerance that focuses on the differences between people, nor about minority rights that are based on separation, but about rights that apply to everyone regardless of gender, colour, sexual preference, or religion.

Civil rights are based on unison rather than on differentiation. This does not mean that there is no room for differentiation. To the contrary. Muslims who want to claim the right to be different can do so, but on the basis of rights that all people have in common. Another advantage of civil rights is that Muslims, insofar as they deem it pertinent to identify themselves as such, can appeal to these rights both as individuals and as communities.

From the perspective of governments, a civil rights approach would be beneficial for two reasons. First, the governments will not get lost in the paradox of stimulating differentiation by encouraging community formation among Muslims on the one hand, while having as ultimate goal the full integration of Muslims in European societies on the other hand. Furthermore, such an approach would mean that the emphasis is not on Islam, but on the civil issues at hand. Taking out the religious dimension will refocus on the actual problems rather than on imaginary causes or on imaginary communities.

Considering the perspective of civil rights, it would perhaps even be in the best interest of Muslims if they organize themselves not as a community but as an emancipation movement. Indeed, the situation of the Blacks in America in the 1950s, or the position of women, seems a more helpful comparison to the situation of Muslims in Europe. But it is the Muslims themselves who need to organize – the governments cannot and should not do it for them.

(\*) Dr Berger is graduated in Arabic studies and Law, and specialized in Islamic law. He practiced law in Amsterdam for three years, and then moved to Cairo and Damascus for seven years where he worked as a researcher on Sharia and political Islam. Upon his return to The Netherlands in 2002, he focused on the issue of Muslims in Europe, as a researcher and publicist, and also as an advisor to the government.

otherness, i.e. on the basis of what differentiates ‘us’ the majority from ‘them’ the minorities.

In addition, tolerance is essentially a power play, since a majority will decide what it will and will not accept to tolerate, and the minority will be in a negotiating position claiming and explaining the importance of certain values that in their view need to be tolerated. However laudable and therapeutic such a debate may be, there is a considerable risk that it may turn quite nasty since the focus is on differences that one is not willing to accept from the other. Tolerance, in other words, leads to a polarized discussion with the majority deciding in the end.

### ***Minority rights***

Should Muslims then be treated as a minority, with specific minority rights? It must first be stated that the minority rights are a new comer to the European political arena, and as a concept are quite underdeveloped.

Moreover, Europe is more at ease with ethnic minorities than with religious minorities. Here we see the ambivalence of Europe’s communal approach: on the one hand, one urges Muslim communities to organize in order to establish some form of ‘contact points’ with these communities, but shies away from considering them actual minority communities.

This shows for instance in the working of Convention for the Protection of National Minorities, adopted in 1995 by the European Council, which allows for minority identities on the basis of culture, language, traditions and religion, but leaves the definition of ‘national minorities’ to each European member state. Member states that have ratified the Convention have mostly identified minorities on the basis of nationality, ethnicity or language. So far, it is only Sweden that has recognized a religious minority (Jews).

I personally hope that Muslims will not ask for, or obtain the minority status because that would, again, only emphasize the differences between Muslims and ‘the rest’. That is not only unnecessary but also contrary to what European governments and societies actually want, namely a Muslim community that is integrated into European society.

### ***Civil rights***

A much more fruitful approach, in my view, would be to discuss the position of Muslims in terms of civil rights. Civil rights are not about

students. It is very doubtful if that is helpful, and there is a serious risk that after such courses the Muslims will be even more treated as ‘Muslims’, hence again sustaining and enhancing the imaginary Muslim community.

Addressing religion in order to explain and solve societal problems is unique in recent European political tradition. It is also a misguided approach, for it runs the risk of creating Muslim minorities rather than dealing with them.

#### **4. Tolerance, minority rights and civil rights**

How to address the issue of Muslims and Muslim minorities in Europe? We have seen that European strategies and policies in this respect are often quite ambiguous, mostly because they lack a conceptual basis or a consequent strategy. The policies pursued by most European countries hinge on a mix of minority status and religious tolerance, but to my opinion neither are very helpful.

##### ***Tolerance polarizes***

Let us return to religious tolerance as a broad concept. Although this rings benevolent bells in European ears and allures to past histories of communal harmony – 17<sup>th</sup> century Holland being a case in point – it is not the right principle to use when dealing with the particular case of Muslims in contemporary Europe.

First, religious tolerance can be exercised in different, even diametrically opposed ways, as has been illustrated by the European and Arab examples. Mixing these models will inevitably lead to confusion, as seems to be the case in contemporary Europe where the traditional individual approach is replaced by a half-hearted communal approach in order to confront the new phenomenon of Muslim ‘communities’.

Should Europe then embrace the communal model as practiced in the Islamic-Arab world? In my opinion, the disadvantages of that model outweigh the advantages, especially in the case of the communal model denying the individual’s right of choice not to belong to a religious community.

There is another reason why I strongly object to religious tolerance as a point of departure to develop community policies, for it is based on differences rather than commonalities. Tolerance and religious tolerance in particular implies that people and communities are defined on the basis of

There are of course Muslims that indeed organize themselves on religious grounds. Whether this is done under pressure of society or governments or on a voluntary basis is hard to tell, but most European states welcome such development because it provides them with contact points with the 'Muslim community'<sup>2</sup>.

### *Imaginary communities*

Does this mean that a new European communal model is being developed? If so, it has two major flaws: it is based on imaginary communities, and it designates religion as the identifying factor of this community.

The communal approach of European governments and societies relies on the assumption of the existence of a Muslim community. That is odd now that we have observed that Muslims in Europe do hardly manifest themselves as a coherent community. Still, the random use of the terms 'Muslims' or 'Muslim community' have become commonplace, although they are without any social, legal or political conceptual framework.

However, the label 'Muslim' has become part and parcel of the present debate and there is no turning back. In that way, 'Muslims' have become part of European society. This, however, has created the next flaw in the European communal approach. Using the term Muslim implies that the actions of that person are religiously inspired.

The social, economical, and cultural problems that the first and second generations of migrants face in Europe – and these problems are many, often very serious, and sometimes even perilous to society at large – are in the case of Muslims frequently traced to what is perceived as their primal identity, i.e. Islam.

Islam receives much attention because it is considered the source that may explain the problems caused or experienced by Muslims, and that may perhaps provide the answers to these problems. Journalists, police, policymakers, doctors and nurses, teachers – they all take crash courses Islam in order to understand their difficult clients, pupils, patients and

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<sup>2</sup> France and the Netherlands are examples of governments initiating and stimulating the formation of a centralized Muslim organization, which has provided the governments with a formal contact point, but at the same time has caused large numbers of Muslims to turn away from these organizations since they are not deemed representative.



### **3. Muslims in Europe: a lack of vision and strategy**

Does all this mean that Muslims in Europe propagate a communal approach to their minority presence, which is clashing with the traditional individual approach of Western European countries? If only it were that simple.

What we are presently witnessing is more a reverse situation, with Muslims identifying themselves indeed as Muslims but not actually manifesting themselves as a cohesive community, while the societies and governments of European countries perceive them as a community and even pressure them to organize themselves as such.

Are we to conclude then that Europe is switching from an individual model to a communal one? It looks that way, but insofar as we can discern a 'model' in the ambiguous European strategies vis-à-vis the Muslims it is quite different from the one conceptualized in the Islamic-Arab world.

The main difference is the European top-down approach. European politics towards Muslims are initiated by governments rather than by the Muslims themselves. Although it is true that Muslims in Europe increasingly attach importance to their Islamic identity, so far they have expressed little need to act as a community of Muslims. There may be a shared Islamic identity, but linguistic, ethnic, national and even religious fault lines often run deep.

What we see therefore is not the Muslims organizing themselves or manifesting themselves as a coherent community and demanding some kind of recognition or status from their governments, but the other way round: European governments and societies consider Muslims a community and develop policies to that extent.

The second difference between the current European policies and the Islamic-Arab model is the cause for the top-down approach: European governments actually have a vested interest in approaching Muslims as a community. (In the Islamic-Arab model, such interest was almost non-existent.) This interest is related to the large influx of migrants who are facing and sometimes causing serious problems in their new European environments, and these problems need to be addressed. Now that Muslims and Islam have been highlighted as playing a particular and mainly negative role in this, European states want Muslims to organize in order to get a finger behind the many problems.

Consequently, these communities are allowed to manage their own religious and family law affairs.

However, this protection does not extend to the individual members of these communities. In case of religious disputes, for instance, the communities may act against renegade or dissenting individual members. These individuals have no recourse to the state, for religious matters belong to the exclusive jurisdiction of the community authorities. Nor will the state interfere when the communities amend their family laws in ways that would violate legal tenets of the state law.

The communal approach furthermore institutionalizes what would nowadays be called a multicultural society – but here being a multi-religious society. The recognition of religious minority communities allows these communities to coexist with each other and with the larger Muslim community while maintaining their differences on essential issues. Christian rules and values may for instance be incompatible with those of Islam, but each community can live according to its rules within the confines of its religious/legal boundaries.

There is another characteristic to the communal approach that Westerners will consider reprehensible but which is perceived by many Arab Muslims and non-Muslims as just and advantageous. This is the issue of the individual's freedom of choice to be part of a religious community. In the Islamic-Arab system, the religious communities are not voluntary associations. Membership is pre-determined by religion. The individual who wants to step out of his community has no choice other than to convert – although he will then become member of the community of his new religion. Not belonging to a religious community is in most cases not an option, not even in most modern Arab countries. One's religion determines one's social, and, definitely, one's legal identity.

As said, most Westerners will consider this an intolerable restriction to the individual's freedom of choice. However, most Arabs perceive this communal system not in terms of freedoms, but as a right, i.e. the right to belong to one's community and to practice one's religion. From this perspective, tolerance could be defined as allowing an individual to belong to a community and to have the community's rules applied, rather than allowing him to choose his own religious community or even stay without any religious status.

These characteristics are shared by the religious tolerances as described in Islamic and Christian discourse. In the Islamic-Arab world, the dominant Muslim majority had the power not to accept non-Muslim beliefs, which, in cases like consumption of wine and pork and the belief in Christ as the son of God, are indeed abhorrent to a Muslim believer. However, Islamic doctrine nevertheless agreed to 'leave them [i.e. the non-Muslims] and what they believe.' A similar approach to religious tolerance was taken in Christian-Europe, albeit more reluctantly and often less successful.

### ***Communal and individual approaches***

However, the practice of religious tolerance differed considerably between the two worlds. This difference can be briefly summarized as the Islamic-Arab doctrine maintaining a communal approach to religious tolerance, while the Christian-European approach acquired an individual quality, especially after the Catholic-Protestant strife of the sixteenth and seventeenth centuries.

In Europe, the inter-Christian conflicts were resolved, not by granting special rights to particular religious minorities, but by separating church and state, and granting freedom of religion to individuals rather than to communities. Religious minorities were protected indirectly, by guaranteeing individual freedom of worship. Western tolerance as we know it now has developed from the freedom of religion of the individual into the larger concept of liberalism, with its strong emphasis on individual freedoms and rights.

Religious tolerance in the Islamic-Arab world, on the other hand, has maintained its communal form even after the dhimmi-status was abolished in the Ottoman Empire in 1856, and all subjects of the Ottoman Empire were considered citizens equal before the law and the state, regardless of their religion. The Christian and Jewish citizens kept their community structures with its autonomous leadership and family courts. This privileged status has been more or less continued by most Arab countries today.

### ***Pro's and con's of the communal approach***

Let us pay a closer look at the Islamic-Arab communal model. Its main characteristic is the lack of any direct interaction between the state and the individual, for the freedom of religion is granted to communities, not individuals. The non-Muslim communities enjoy protection against religious persecution and there is no state meddling in religious affairs.

integrated into European society until new waves of anti-Semitism erupted in the 19<sup>th</sup> century, culminating in pogroms and finally the Holocaust. With the exception of Catholic Spain in 1499 and periodic incidents in those times, the Jews in Europe were generally not forced to convert. However, their religious freedom and practices were limited to what the Christians believed to be the correct interpretation of the Old Testament, the pope being the ultimate judge of what constituted correct Jewish doctrine.

The other group of non-Christians in Europe was the Muslims. First, there were the Muslims of Spain, who ruled a caliphate for seven centuries until the finalization of the reconquista of Muslim Spain in 1492 left them with the choice between conversion and emigration. Less than a century later, Europe was confronted with conquests by Muslim Turks of the Ottoman Empire in the Balkans and Eastern Europe. The situation of the Spanish and Turkish Muslims was different from the Jews, however, since the Muslims never lived as minority communities within Christian Europe.

Religious tolerance for Christian Europeans as an answer to the question how to cohabitate with other faiths was therefore not related to Muslims or Jews. It became an important issue only in the twelfth century with regard to Christian heretics and sectarians. It took several centuries of religious conflict until religious tolerance was actually being put into practice in order to settle the violent strife between Catholics and Protestants.

Religious tolerance of (non-Christian) minority communities in Europe became again subject of debate in the 20<sup>th</sup> century, first with the virulent anti-Semitism against Jews, later with the large numbers of (mostly Muslim) immigrants.

## **2. European and Arabic concepts of tolerance**

Let us now analyze these two different forms of religious tolerance.

One may define tolerance as a deliberate choice not to interfere with the conduct of which one disapproves. This definition has two aspects. First, tolerance is exercised by someone who has the power to also not tolerate the conduct he disapproves of, but nevertheless chooses to be tolerant. When certain behaviour is tolerated or rights are granted, the tolerator merely indulges himself. Second, tolerance is exercised in matters involving firmly held beliefs. It implies that the tolerator strongly objects to a certain behaviour or opinion, but nevertheless decides to accept it.

### ***Islamic Arab world***

An important social and historical difference between the Christian-European and Islamic-Arab world was religious demographics: Christian rulers in Europe ruled over predominantly Christian subjects, while Muslims constituted a minority during the first centuries of their empire. This typical feature of the Islamic empire arose from the fact that upon their swift conquest of the large area from Morocco to Afghanistan, the Muslims were confronted with large indigenous populations with other religions, mainly Christian and Zoroastrian. Different from what Western popular lore wants us to believe the Muslims had no intention to convert their non-Muslims subjects.

Instead, the Muslim rulers granted the non-Muslim communities the legal status as *dhimmis*, or 'protected peoples.' This meant that non-Muslims under Islamic rule were granted the freedom to continue their religious ways and to have their lives and goods protected by the state. This was in exchange for their submission to Islamic rule, a second-class citizenship and the payment of a poll tax. In practice, the treatment of the *dhimmis* not always concurred with this legal status, and there were many instances of discrimination and occasional persecution, although this differed from city to city and region to region.

However, discrimination of non-Muslims, both legal and in practice often centred on their legal and public status and much less on their religious freedom. The various non-Muslim religious communities were granted unhindered freedom and virtual autonomy in matters of religion. Catholics, Orthodox, Jews, and their many sectarian subdivisions appointed their own community leaders and maintained their own religious laws. This also included family law for which courts were established independent from the state courts.

### ***Christian Europe***

In Europe, on the other hand, the religious demographic situation was entirely different. The inhabitants of Europe in medieval times were all Christian. The Christian population of early medieval Europe encountered very few non-Christians, except perhaps Jews and, even less so, Muslims.

Jews had gradually entered Europe since the 2<sup>nd</sup> century, to be expelled from Western and Middle Europe in the 15<sup>th</sup> and early 16<sup>th</sup> century, and allowed back after 1570 from which period onwards they have more or less

Is Islam in Europe the arrival of a religion that is essentially anathema to the values that Christianity has represented in Europe for centuries? The heated debates in mainly West-European countries would make us believe so. However, the arguments are often not well substantiated and emotional.

In terms of religious values, Islam is as close to or as far removed from Christianity as Judaism is. Talking of an exclusive 'Christian-Jewish heritage' unique to Europe is a recent construct that is perhaps politically correct but does not reflect Europe's long and bleak history of malicious treatment of Jews and Judaism. Moreover, one could argue that Christian Europe and the Islamic Arab world have an equally longstanding albeit antagonistic common history. Is a fruitful and peaceful existence of Muslims and their religion possible in Europe? Of course it is. The main problem I foresee is not a clash of religious cultures, but of integration policies. As long as Muslims in Europe are perceived as a religious community, Europe's policies vis-à-vis Muslims run the considerable risk of missing the intended goal of making Muslims integrated part of European societies.

In this presentation, I will argue that religious tolerance is the wrong approach when it comes to Muslims in Europe. I will do so by first explaining the different forms of religious tolerance based on the Christian-European and Islamic-Arab experiences. Then I will discuss the confusion in European contemporary policies on how to deal with

Muslims in Europe, and its resulting ambiguous approaches to religious tolerance. Finally, I will argue that the issue of Muslims in Europe is not served by religious tolerance or minority rights but by civil rights.

## **1. Concepts of religious tolerance: the European and Arabic examples**

The treatment of every religious minority is ultimately related to the concept of religious tolerance. How religious tolerance is shaped and conceptualized, however, depends on the historical, political and social circumstances of the particular environments that these minorities live in. The experiences of Christian Europe and the Islamic Arab world<sup>1</sup> are illustrative examples of how different this concept may work out.

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<sup>1</sup> With this term, I refer to the geographical area from Morocco to Iraq, including the Gulf countries. This used to be, by and large, the territory of the Muslim Empire of the first centuries of Islam, later to be incorporated into the Ottoman Empire.



# **Islam In Europe: A Clash Of Policies**

Presentation by

**Dr. Maurits Berger, LLM**

Senior research fellow, Clingendael Institute of International Relations, The Hague\*



Paying special attention to the significant role of family, deemed to be the cradle where man acquires his Muslim identity and learns how to positively integrate into the society to which he is related, is one of the means of positive integration. Family is also deemed to be the first cradle to instill the authentic citizenship that requires respecting society and working in favour thereof. In parallel, efforts should be exerted to qualify the Muslim family to perform its significant role in the process of positive integration. In addition, all other organizations, e.g. Islamic schools, Islamic centres, mosques and clubs, influencing the Muslim character should endeavour to prepare Muslims for positive integration in European society.

The above mentioned research papers and discussions stressed the importance of Islamic organizations in Europe regarding the process of positive integration starting from raising awareness of the authentic concept of integration and deep-rooting the culture of institutionalism among Muslims in Europe. This is encouraged by the fact that European society, to which Muslims are related, is an institutional society where integration is not viable except through this culture that enables Muslims deal on the basis of productive partnership. This proved to be a significant approach. It is self-evident that organizations have a significant role in being open with European society so that Westerners can be enlightened about Islam and Islamic values creating a bridge between them and Muslims in Europe, which is a reason for accomplishing positive integration.

Most of the points of integration have been deliberated on in the above mentioned research papers submitted in the seminar and comments were submitted. Nevertheless, some points e.g. the legal dimension of integration are still in need of elaboration. A professor was assigned to submit a research in this regard, but he apologized at the last minute as he could not attend. Hence, the topic is still open to research to cover all aspects thereof. In one way or another it might be deliberated by the ECFR once again, so that other rules in all aspects of Muslim life could be made.

May Allah grant us success.

**Editors**

integration in the right, moderate and productive channel should be set to prevent isolation, as well as, assimilation. Some of these rules are:

- I. Defining the targeted integration and specifying its concept in a way that distinguishes it from assimilation as targeted by some organizations. Some participants appealed to the ECFR to communicate with European organizations to reach an agreement regarding the concept of integration.
- II. Muslim integration should be dependent on preserving Muslim distinctiveness i.e. creed, rituals, morality and Islamic rules portraying flexibility with regard to Islamic rules liable to Ijtihad<sup>4</sup>.
- III. Integration should be accomplished in the light of laws that regulate European societies. It is worth mentioning here that these laws give enough room for positive integration, yet they are not used by Muslims.
- IV. Integration should be based on academic research of European reality.
- V. Integration should be based on utilizing opportunities and the huge number of facilities available in European society.
- VI. Integration should be founded on continuous dialogue with the cultural, political and social components of European society.

One of the researches stated that integration should be based on civil rights but not civil distinctiveness. This suggestion was accepted with hesitation.

Fifth: Means and mechanism of integration: The research papers, while confirming the paramount importance of performing Da'wah to accomplish positive integration, recommended that such a role should be performed in conformity with the requirements of European reality. They also made reference to the many current mistakes and encouraged their avoidance.

The above mentioned research papers, while stating that the most important mechanism and reasons for integration were purifying the individual and the congregation and elevating them to an ideal and exemplary level, highlighted the importance of enlightening Westerners about Islam, its foundations and values as a preparation for the positive accommodation of Muslim integration.

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<sup>4</sup> Reasoning

objectives. This citizenship represents an important method of introducing Islam and it is a religious obligation. Moreover, it is deemed to be a bridge between the Muslim world and the European world that serves the advantages of both parties. However, integration does not contradict the Islamic concept of fidelity, alliance and disassociation. Some of the submitted researches stated that such a concept does not exist in Islam. But most of them stated that even if it is an Islamic concept it has been subject to excessiveness. In addition, it will not contradict Muslim integration into European society, if it is interpreted in full conformity with its true meaning.

Second: European society is an arena for integration: The submitted researches in this regard illustrated the Muslim existence in Europe, in terms of population, growth and the general situation, showing the Muslim rapid increase and the development towards stability. The discussants requested more statistical practical field researches on the European reality in general and the Muslim reality in particular so that Fatwa can be issued on the issue of integration on a sound basis of knowledge. In this regard, light was shed on the historical experience of integration, i.e. the Ottoman country, and Muslim schools in the Balkans. Out of this experience lessons, which could guide the future process of integration, were highlighted.

Third: Future objectives of integration and citizenship: The submitted researches in this regard illustrated that positive integration is to a large extent dependent on deciding the objective of Muslim existence in Europe. Some of these researches concluded that the objective of civil partnership, i.e. involvement in civil development by giving and taking, when it becomes an aspect of the Muslim culture will facilitate positive integration and good citizenship. All discussions and comments stressed that Muslim integration should be practically interpreted as positive integration wherewith Muslims attain material and spiritual accomplishments in favour of the societies they are related thereto. Nevertheless, many interpositions reflected Muslims' up-to-date shortcomings in this regard and their heedlessness of such an objective deemed to be one of the most important approaches of integration.

Fourth: Rules and regulations of integration: The submitted researches in this regard highlighted the fact that the matter of issue i.e. integration is fraught with traps and could end up instead as assimilation as was the case for some Muslims. Hence, regulations and rules that organize the process of

This accuser has been invited to attend several sessions of the ECFR to support his opinion and criticize fatwas and resolutions of his choice but he apologized. As a scientific obligation, especially as he apologized when invited to attend a number of sessions, he should have criticized in a sober-minded scientific way and repudiated arguments with arguments. As for attributing allegations haphazardly; accusing the ECFR of insincerity and issuing intentionally null fatwas, we declare to Allah that we are free from these false allegations. While condemning, renouncing and disdaining this behaviour, we let him who adopts it take responsibility for it on the day when opponents are gathered before Allah.

The ECFR worked hard to accomplish the objectives it announced the day it was launched. It exerts efforts to issue fatwas, based on Islamic sound foundations, to obliterate daily challenges facing Muslims living in Europe and facilitate the civil partnership to which Muslims are eager to attain in the society that they have become part thereof. Prior to issuing fatwas, the ECFR conducts thorough researches on the rules of Islamic jurisprudence considered as the foundation for Fatwas and the European reality deemed to be the context of the Fatwas and resolutions. The ECFR adopts this methodology sincerely seeking Allah's pleasure, the interest of all Muslims and in particular Muslims living in Europe and the interest of the societies where they live. If the ECFR gets it right Allah will reward its members twice and if it gets it wrong, Allah will reward its members once in conformity to the promise made by the prophet, peace be upon him, and his promise is true.

Following this methodology of detailed researching, we would like to present the twelfth issue of the Scientific Magazine of the ECFR, which includes a number of researches submitted and deliberated in the seventeenth session of the ECFR. On the basis of these researches a number of resolutions and fatwas, which were included in the final statement endorsed in this issue, were issued. In the seventeenth session of the ECFR a number of researches were submitted on the issue of "Muslims in Europe; citizenship and integration." These researches were deliberated in details and comments thereon were presented. All the researches evolved around five foci:

First: The Islamic rule for integration: The researches concluded that it is Islamically permissible for Muslims to be citizens in European society and integrate therein since principally this matter is included in Islamic

Taqiudeen AL-‘Uthmany, Prof. Dr. Hussein Hamid. As it is an essential need, some members of the ECFR are experts in European affairs and particularly European political and economic affairs. This is not an innovation but a norm observed by all Fiqh academies. This norm is essentially important and without it the process of issuing Fatwa will be hanging in the air, belongs to the past centuries, or the Fatwas will be issued by someone who is totally ignorant about the European context and has never tread on European land.

Can this group of sincere scholars forming the members of the ECFR gather together colluding to issue null Fatwas needed for political reasons, as alleged by the above quoted person? Could these great scholars plan to deliberately issue null Fatwas? It is such a bold slander for which Allah will hold its perpetrator accountable on the Day of Judgment. Has the ECFR issued a fatwa condoning the permissibility of taking loans that involves dealing with interest for urgent needs and justified being involved in transactions conducted on an interest basis? This is a grave slander. The ECFR, under strict condition, issued a fatwa condoning the permissibility of taking loans that involves dealing with interest only in urgent cases for Muslims living in Europe willing to buy houses. As for the fatwa of the permissibility of the continuity of marriage when the woman embraces Islam and the man remains a disbeliever, it is limited for the wife who becomes a Muslim while her husband remains a disbeliever. It is not a general fatwa as hinted by the claimer. This fatwa is dependent on fulfilling certain conditions. Moreover, it is based on a fatwa issued by ‘Ali Ibn Abu Talib, ‘Umar Ibn Al-Khattab and some Tabi’een<sup>3</sup> jurists. The ECFR issued this fatwa on the basis of detailed researches forming entirely the second issue of Scientific Magazine of the ECFR. These researches unveiled fatwas and Ijtihads issued by some Companions of the Prophet, peace be upon him, and Tabi’een. They were unknown to the researchers thinking that the Muslims had consensus in that regard. It seems that they are still unknown to many Muslim researchers including those who attribute false allegations to the ECFR. Can it be that issuing a fatwa, the same of which was issued by leading Muslim figures e.g. ‘Umar and ‘Ali, a null fatwa issued by those who know that it is a null fatwa?

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<sup>3</sup> The Muslim generation that followed the generation of the Companions of Prophet Muhammad, peace be upon him.

arguments of the ECFR so that the truth, aimed by all parties, could have been unveiled. Instead of this, they accused us of insincerity, swerved from applying the methodology of academic argument and refrained from giving Islamic legal advice.

One of them said: “The ECFR has been established on a partial basis aiming to make up null fatwas and Islamic rules needed for the sake of accomplishing biased aims. It is worth mentioning here that a big number of the members of the ECFR have no knowledge of Fiqh and have nothing to do with it. The long term objective of the ECFR is to gain the trust of the western powerful figures that could enable them to attain leadership in their countries, which they will run according to complacent Islam, which is submissive to modernity. In full conformity with this methodology, the ECFR issued a series of Islamic rules and Fatwas on issues such as the permissibility of taking loans that involves dealing with interest for urgent needs, the permissibility of the continuity of marriage when the woman embraces Islam and the man remains a disbeliever and the permissibility of taking off the hijab if the system does not allow it, known by its members and senior members as null Fatwas and rules issued for political reasons.”<sup>2</sup>

It hurts when these allegations are made by a scholar. The claimer, violating moral requirements, attributed false allegations without verification. The claimer failed to apply the requirements of the methodology of truthful narration and investigation. He also failed to apply the academic requirements that state an argument should be repudiated by an argument. In a nutshell, he has committed a variety of mistakes that should be shunned by the person who has the morality of the scholars and knowledge.

What partiality is he talking about? The ECFR is made of scholars belonging to various factions. They belong to various intellectual schools, yet they are united by shouldering one and the same burden and aiming to accomplish one and the same goal. Which members is he pointing at? The ECFR includes a number of the most prominent contemporary scholars and they could be the most prominent contemporary scholars. To name but a few Sheikh Dr. Yousuf Al-Karadawi, Sheikh Abdullah Bin Baiah, Sheikh

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<sup>2</sup> These allegations and others were mentioned in the book written by Sheikh Muhammad Al-Buti

question will be adjourned until the findings are clear and a fatwa can be issued on the basis of Islamic rules. Moreover, it applies a good practice i.e. during every session the ECFR holds a scientific seminar attended by members of the ECFR and invited experts. During this seminar researches are submitted and deliberated in a comprehensive way. Then Fatwas and resolutions issued on the basis of these researches are deliberated comprehensively. Hence, Fatwas and resolutions cannot be issued unless all conditions are fulfilled and the members feel comfortable about them. The eleven issues of the Scientific Magazine and the books issued by the ECFR prove that this is the methodology applied by the ECFR.

In spite of the fact that it is a recent organization, the ECFR has become an Islamic legal authority for Muslims in Europe. Muslims based in Europe contact the ECFR seeking fatwas pertaining to minor and major issues they are facing. In urgent situations they rush to it seeking guidance in its Fatwas and resolutions. The ECFR has also become an organization deemed by the European public and private administrations to be an honourable authority which many of them contact in relation to issues relevant to Islam and Muslim affairs. All of this has been accomplished by Allah's grace due to the fact that the ECFR has been founded to serve Muslims in Europe and the societies where they live seeking Allah's pleasure. All of that has been accomplished as a result of the efforts continuously exerted by its members and the application of Ijtihad <sup>1</sup> fulfilling the conditions of issuing Fatwas. The members of the ECFR exert efforts and spend their time seeking no worldly reward but Allah's reward on the day when there will be no avail of wealth and children.

The ECFR, while pondering over its past ten years, is eager to improve its performance, yet it appreciates its achievements and is convinced that it applies the right methodology by taking steady progressive steps. To Allah we file our complaint against those who have been casting suspicions on the ECFR, targeting it and perpetually attributing false allegations to it over a number of years. Had it been done by lay people, it would have been easier. But alas, it was done by scholars who ought to apply academic methodologies. They should have presented their arguments against the

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<sup>1</sup> Reasoning

*In the name of Allah*

## **Introduction**

In its last session held in July 2007, the European Council for Fatwa and Research celebrated its 10<sup>th</sup> anniversary. It is a short period, yet a lot has been done. Within this period, the ECFR has held seventeen sessions in which almost two hundred researches have been submitted. On the basis of these researches hundreds of Fatwas and Islamic jurisprudential resolutions have been reached; most of which are relevant to all aspects of Muslims' life in Europe including family, economic, political and social issues. While exploring every avenue to establish fatwas on authentic proofs, taking into consideration Muslims' interests in Europe and the interests of the societies wherein they live, the issuing of fatwas and resolutions has been executed on the basis of a thorough understanding of European reality and Islamic rules.

During this short period, the performance of the ECFR has been remarkably developed. Initially the role of the ECFR was limited to answering questions pertaining to issues of Muslims' daily life. While performing this function, the role of the ECFR was developed, encompassing the issuing of fatwas on more comprehensive matters pertaining to Muslims' life as citizens in the societies wherein they lived. While performing the first and the second functions, the role of the ECFR has been developed, covering the issuing of fatwas on matters pertaining to Muslims' civil contribution to their European society instead of being marginalized, consuming but not producing and taking but not giving.

Prior to issuing fatwas, whether personal or general, the ECFR conducts thorough researches on the rules of Islamic jurisprudence considered as the foundation for Fatwas and the European reality deemed to be the context of the Fatwas and resolutions. Upon exerting efforts, in cases where the ECFR can find the true answer, it will issue the fatwa and if otherwise, the



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**Dr. Maurits Berger** : *Islam In Europe: A Clash Of Policies*

21 .....

41 .....

49 .....